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Assembly Proceedings

Official Report

Bengal Legislative Assembly

Tenth Session 1941

The 27th, 28th, 29th, 31st March, and 1st and 2nd April, 1941

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GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIV
ASSEMBLY.

SPEAKER.

The Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., *Khan Bahadur.*

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Tenth Session.)

Volume LIX—No. 5.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 27th March, 1941, at 4-45 p.m.

Present:

(the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Chair, 7 Hon'ble Ministers and 174 members.

(3) *The Hon'ble* [illegible]
Revenue Department.

(4) The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, C.I.E., in charge of Public Health (including Medical) and Local Self-Government Departments.

(5) The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar, in charge of Communications and Works Department.

(6) The Hon'ble Mr. HUSEYAN SHAHEED SUHRAWARDY, in charge of Finance, Commerce and Labour Departments.

(7) The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur, in charge of the Judicial and Legislative Departments.

(8) The Hon'ble Mr. PRASANNA DEB RAIKUT, in charge of the Forests and Excise Departments.

(9) The Hon'ble Mr. MUKUNDA BEHARY MULLICK, in charge of the Co-operative Credit and Rural Indebtedness Departments.

(10) The Hon'ble Mr. TAMIZUDDIN [illegible] in charge of Agriculture and Industries.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER.

The Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur.

DEPUTY SPEAKER.

M. ASHRAFALI, Esq., Barrister-at-law.

SECRETARY.

K. ALI AFZAL, Esq., Barrister-at-law.

FIRST ASSISTANT SECRETARY.

Rai N. N. SEN GUPTA Bahadur.

SECOND ASSISTANT SECRETARY.

Khan Sahib QUAZI MUHAMMAD SADRUL OLA.

REGISTRAR.

A. B. CHATARJI, Esq.

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Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 7 Hon'ble Ministers and 174 members.

STARRED QUESTION

(to which oral answer was given)

Operation of Jute Regulation Act in Chittagong district.

***189. Khan Bahadur Maulvi FAZLUL QUADIR:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) what is the total area under cultivation of jute in the district of Chittagong;

(*ii*) what is the annual total production and the value thereof;

(*iii*) what was the cost of survey and preparation of records;

(*iv*) what is the cost of estimated restriction;

(*v*) how many officers are there;

(*vi*) for what period they have been appointed; and

(*vii*) what is the monthly expenditure for these officers?

(*b*) Is'it a fact that the area under jute cultivation in the district of Chittagong is negligible having regard to the population and area of the district?

(*c*) If so, do the Government consider the desirability of exempting Chittagong district from the operation of the Jute Regulation Act?

(*d*) Will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of relaxing the regulation in case of jute cultivated for domestic purposes?

(*e*) If so, to what extent?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) (*i*) In 1940, 779 acres.

(*ii*) No figures are available to show the annual production which varies from year to year and the value depends on the prices obtained each year.

(*iii*) About Rs.6,000.

(*iv*) For licensing and for checking of the 1941 crop, the cost is estimated at about Rs.13,000.

(*v*) There are one Inspector, 5 Assistant Inspectors and 19 checkers.

(*vi*) Up to 30th June, 1941.

(*vii*) Rs. 895.

(*b*) The area under jute is small compared with the total area of the district.

(*c*) No. The Jute Regulation Act applies to the whole Province and there is no reason to exclude Chittagong.

(*d*) Not at present.

(*e*) Does not arise.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Government Demonstration Agricultural Farm at Kalimpong.

69. Mr. W. C. PATTON: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) the date on which the Government Demonstration Agricultural Farm at Kalimpong was established; and

(*b*) the objects for which it was established?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) 1st October, 1928.

(*b*) Experiment and demonstration on agriculture on improved lines.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what so far is the work of the farm established at Kalimpong?

Mr. SPEAKER: The answer has been given in (*b*).

Mr. NIHARENDU DUTTA MAZUMDAR: The Hon'ble Minister has simply said, "Experiment and demonstration on agriculture on improved lines." I want to know what experiments and demonstrations have been carried out.

Mr. SPEAKER: Can it be answered on the floor of the House off-hand by way of reply to a question, Mr. Mazumdar?

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, the Hon'ble Minister might state in brief in what particular lines experiments have been undertaken.

Mr. SPEAKER: But it will take a lot of time to enumerate the experiments and demonstrations undertaken by the Agriculture Department. You cannot expect such things to be answered by putting supplementary questions. Moreover, these things are published by the Agriculture Department.

Mr. NIHARENDU DUTTA MAZUMDAR: What I want to know is the nature of the specific experiments, say, on live-stock, horticulture, or improved variety of seeds that this farm has been carrying on

The Hon'ble Mr. TAMIZUDDIN KHAN: Experiments are being carried on there on almost all the crops that are generally grown in the hills.

Re-excavation of Mithachhara khal.

70. Dr. SANAULLAH: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether it is a fact—

(*i*) that the public of the Hathazari, Mekhal and Fatehpur Union Boards contributed a sum of Rs.500 toward the cost of re-excavation of the dying Mithachhara *khal* within police-station Hathazari, district Chittagong; and

(*ii*) that the balance of the expenditure to be incurred in that connection was to be met from the Government of India Second Grant for the rural development?

(*b*) Will the Hon'ble Minister be pleased to state whether the said scheme is ready for execution?

(*c*) If so, when is it likely to be taken up?

(*d*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) Yes.

(*b*) No.

(*c*) Does not arise.

(*d*) The Executive Engineer, Mymensingh, has been asked to examine the scheme from the technical point of view. If found feasible, it is likely to be taken up next financial year.

Floods and breaches in Goomti Embankment.

71. Mr. DHIRENDRA NATH DUTTA: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Embankment) Department be pleased to state—

(*i*) whether Government have come to any decision regarding the steps to be taken for preventing floods caused by breaches in the Goomti Embankment in the district of Tippera;

(*ii*) whether a conference was convened by Government during the Budget Session of 1940, for considering the matter; and

(*iii*) whether a scheme put forward at the conference by the Chief Engineer was discussed and agreed to by the conference, and accepted by Government?

(*b*) Is it a fact that the matter is hanging before Government for more than half a century and there have been almost annual breaches for the last few years causing destruction of crops and other properties over a large area?

(*c*) Will the Hon'ble Minister be pleased to state what the amount is that has been realised by way of embankment tax since the embankment has been declared public embankment from the persons in the benefited area?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) A conference was held in December, 1939, to consider the policy which should be followed with regard to the Gumti Embankment. The honourable member who was also present at the conference might

remember that it was generally agreed that the ideal solution would be to abandon the embankment retaining sufficient length for the protection of the town of Comilla. It was considered, however, that in the first instance there should be a survey of the area with the object of ascertaining the extent of any damage which might occur and the possibility of preventing or minimising loss by the introduction of alternative crops or otherwise. It was also agreed that on the completion of the survey the question of abandonment of the embankment should be finally decided and that pending final decision the non-Government portion of the embankment should be maintained in its present condition, i.e., breaches should be repaired as they occur but no effort should be made to raise the height of the embankment.

Accordingly the necessary survey has already been started and it is hoped that it will be completed shortly.

(*b*) The problem of preventing damage to crops and other property from flooding in the Gumti river has engaged the attention of Government and their advisers for many years but it has not yet been possible to prepare a feasible scheme ensuring complete immunity from flood.

Breaches generally occur in the portion of the embankment not maintained by Government.

(*c*) Out of the cost incurred since 1920-21 when a portion of the embankment was declared a public embankment, a sum of Rs.3,33,441 was realised from the parties benefited. But I may mention for the information of the honourable member that under section 58 read with sections 51 and 53 of the Embankment Act, Government cannot recover more than the amount spent; and under an arrangement with one of the zamindars fixing a maximum recoverable from him it may happen that realisations may fall short of the expenditure.

Mr. SHAHEDALI: With reference to answer (*a*), wherein it is stated that breaches should be repaired as they occur, will the Hon'ble Minister be pleased to state how the breaches which generally occur at the time of the flood can be repaired at that time?

Mr. SPEAKER: What the Hon'ble Minister says in the reply does not mean exactly at the time of the flood.

Mr. SHAHEDALI: Sir, the Hon'ble Minister says that breaches should be repaired as they occur, and my question is when breaches generally occur at the time of the flood——

Mr. SPEAKER: Then it is a hopeless task. How can the Hon'ble Minister say that breaches should be repaired when the river is in flood?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Not exactly when the river is in high flood.

Stoppage of grants to night schools and maktabs by the District School Board, Rangpur.

72. Kazi EMDADUL HAQUE: (*a*) Is the Hon'ble Minister in charge of the Education Department aware that the District School Board of Rangpur have stopped the grant of all the night schools and maktabs in the district?

(*b*) If so, will the Hon'ble Minister be pleased to state the reason thereof?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Yes.

(*b*) As night schools and night maktabs are generally attended by adults, this maintenance does not come within the powers of District School Boards under the Bengal (Rural) Primary Education Act.

STARRED QUESTIONS

(to which oral answers were given)

Allegation against Police administration of Bogra.

***51. Mr. ABU HOSSAIN SARKAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether Government received a complaint some time ago against the Police administration of Bogra?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) whether any enquiry was made into the matter; and

(*ii*) what was the result of the enquiry?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes, against two Police officers.

(*b*) (*i*) Yes.

(*ii*) The allegations were not substantiated.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state who held the enquiry?

The Hon'ble Mr. A. K. FAZLUL HUQ: One of the district officers held the enquiry.

Mr. SURENDRA NATH BISWAS: Police officer or civil officer?

The Hon'ble Mr. A. K. FAZLUL HUQ: The Magistrate.

(When starred question No. 68 was called by the Secretary, Mr. Speaker observed as follows before the Hon'ble the Chief Minister rose to read out the reply.)

Mr. SPEAKER: The answer which contains some figures may be taken as read.

Persons dealt with under the Defence of India Act and Rules.

***68. Dr. SURESH CHANDRA BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state the number of persons that have up till now in Bengal been—

(*i*) detained without trial;

(*ii*) externed; and

(*iii*) interned under the Defence of India Act and Rules?

(*b*) For how many persons thus externed, detained and interned suitable allowances have been given up till now by the Government?

(*c*) Will the Hon'ble Minister be pleased to lay on the table an up-to-date complete list of persons for whom allowances have been granted, showing the amounts against each name, and also the dates from which such allowances have been given?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) The information available is—

(*i*) Detained under Defence of India Rule 26 (*1*) (*b*) ..	140
(*ii*) and (*iii*) Restricted under Defence of India Rule 26 (*1*) (*c*) to (*h*) (to end of January)	561

(*b*) Five.

(*c*) (1) Nepal Chandra Bhattacharjee at Rs.10 per month with effect from the 14th February, 1940.

(2) Nani Lal Basu at Rs.10 per month with effect from the 26th April, 1940.

(3) Nani Gopal Bhattacharji at Rs.10 per month from the 14th September, 1940.

(4) Jadu Nath Bhattacharji at Rs.10 per month from the 16th September, 1940.

(5) Dakshina Ranjan Mitra Majumdar at Rs.35 from the 15th September, 1940.

Mr. ATUL KRISHNA GHOSE: I think in taking up these left-over questions we are placed in a difficult position in putting supplementaries, and in answering them the Hon'ble Minister would also feel the same difficulty. However, I shall now put my question.

Will the Hon'ble Minister be pleased to state whether the amount of Rs. 10 per month was sanctioned with effect from the date of arrest?

The Hon'ble Mr. A. K. FAZLUL HUQ: The answer given shows that Babu Nepal Chandra Bhattacharjee was given Rs. 10 per month with effect from 14th February, 1940.

Mr. ATUL KRISHNA GHOSE: I want to know whether the allowance was from the date of his arrest or from a subsequent date.

The Hon'ble Mr. A. K. FAZLUL HUQ: From a subsequent date.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister consider the desirability of sanctioning this petty allowance with retrospective effect from the date of his arrest?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give an answer to that as a general rule. Ordinarily, arrests are made and then grants are sanctioned. They are done with the utmost possible reference to the requirements of the case.

Mr. SASANKA SEKHAR SANYAL: What is the standard that is adopted while enquiring into the requirements? Is it merely the food requirement of the family concerned or is it also of the food, clothing and educational expenses of the dependents?

Mr. SPEAKER: And also insurance charges!

Mr. SASANKA SEKHAR SANYAL: No, Sir. I am counting upon the bare necessaries. Is the question of educational expenses of the dependants taken into consideration or not?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is not possible that any hard and fast rule can be laid down, but the District Magistrates generally try to be neither too extravagant nor too strict.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether if in particular cases representations are made to the Hon'ble Minister regarding the inadequacy of the amount sanctioned, regard being had particularly to the educational requirements of the dependants, Government will consider the desirability of asking the District Officers concerned to make enquiries into such questions?

The Hon'ble Mr. A. K. FAZLUL HUQ: I remember having received representations from time to time which I used to send on to the Home Department with whatever recommendations I could make. In many cases allowances were sanctioned to meet the difficulties which had been experienced by these people and relief was given. In some cases they were not sanctioned also.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware that Mr. Nepal Chandra Bhattacharya used to earn Rs. 90 per month before his arrest?

The Hon'ble Mr. A. K. FAZLUL HUQ: Not that I am aware of.

Arrest and conviction of Dr. Nalinaksha Sanyal, M.L.A.

*70. **Mr. ISWAR DAS JALAN:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether Dr. Nalinaksha Sanyal, M.L.A., was arrested and sentenced to imprisonment even before he offered *satyagraha*; and

(*ii*) whether numerous other persons who have been offering *satyagraha* repeatedly have not been arrested by the Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for this differential treatment?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The action was taken in the exercise of their discretion in accordance with the law by the local officers.

Mr. SURENDRA NATH BISWAS: With reference to answer (*a*), will the Hon'ble Minister be pleased to state what was the offence for which Dr. Nalinaksha Sanyal was arrested?

Mr. SPEAKER: Offence under the Defence of India Rules!

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, he had notified his intention of breaking the law and courting arrest. So the Government, to prevent him from breaking the law, arrested him.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that under the Defence of India Rules actual contravention of the rules is punishable and not an attempt?

The Hon'ble Mr. A. K. FAZLUL HUQ: In the case of a big man like Dr. Nalinaksha Sanyal we took the word for the deed.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether it is the policy of Government to arrest persons on intention without any overt act under the Defence of India Rules?

Mr. SPEAKER: That is a question of law. No question of policy arises.

Mr. NIHARENDU DUTTA MAZUMDAR: But the Hon'ble Minister has answered that Dr. Sanyal gave notice to offer satyagraha and therefore Government arrested him.

Mr. SPEAKER: If it is against the law, you cannot say that it is the policy of Government.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I am asking the Hon'ble Minister: Is it the policy of Government to arrest persons who merely announce their desire to disobey certain laws?

The Hon'ble Mr. A. K. FAZLUL HUQ: Ordinarily, I may say that anyone giving notice is not taken notice of. But in this case the situation was such that if he was allowed to make speeches or to take action of a particular kind, a good deal of mischief might have been done and in order to prevent that he was arrested.

(At this stage Mr. Speaker asked the next question to be called out.)

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I may be allowed a few more questions on starred question No. 70. I hope, Sir, that you will realise our difficulty. Dr. Nalinaksha Sanyal is an eminent member of this House.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether he did not consider that in view of the Budget Session Dr. Nalinaksha Sanyal need not have been interfered with in this way?

Mr. SPEAKER: Government did not arrest him.

Mr. NIHARENDU DUTTA MAZUMDAR: He was arrested on the eve of the budget.

Mr. SPEAKER: He was arrested not by Government, but by local officers.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether Government instructed local officers to put Dr. Nalinaksha Sanyal under arrest even without his having committed any offence with a view to get him out of the way during the Budget Session?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government gave no instructions of any kind As regards the Budget Session, the peace and tranquillity of the country must be greater than the budget. Secondly, Dr Sanyal's one vote would not affect the Government much.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether it is not a fact that Dr. Nalinaksha Sanyal used to pierce the largest holes through budget schemes in the Government policy?

Mr. SPEAKER: There are others also. (Laughter)

The Hon'ble Mr. A. K. FAZLUL HUQ: That does not affect the Government.

Persons dealt with under Defence of India Rules since beginning of war.

***82. Mr. PRATUL CHANDRA CANGULI:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of persons arrested under the Defence of India Rules in every district of Bengal since the beginning of the war;

(*b*) the number of persons detained without trial temporarily or permanently in jail under the Defence of India Rules since the beginning of the war;

(*c*) the number of persons convicted under various sections of the Defence of India Rules since the beginning of the war;

(*d*) the number of houses searched by the Police for political reasons throughout Bengal since the beginning of the war;

(*e*) the number of houses where objectionable articles were found;

(*f*) the number of persons convicted for having objectionable articles in their possession; and

(*g*) the number of firearms and explosives found in the houses searched?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) 1,534 (to end of December, 1940).

(*b*) 330 (to end of January, 1941).

(*c*) 895 (to end of January, 1941).

(*d*), (*e*) and (*g*) The compilation of the information desired by the honourable member will involve labour which I am not prepared to undertake.

(*f*) 222 (to end of January, 1941).

Mr. CHARU CHANDRA ROY: Sir, I draw your attention to answers (*d*), (*e*) and (*g*) where the Hon'ble Minister has stated that it will take time to answer the question. Sir, we gave notice of these questions in due time. There is the Home Department of Government; there is the Police Department; there is the executive. We cannot understand why Government is concealing the answer.

Mr. SPEAKER: I am helpless in the matter.

Mr. SURENDRA NATH BISWAS: With reference to answer (*g*), will the Hon'ble Minister be pleased to state whether it is a fact that no firearms or explosives were found in any of the houses searched?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no information.

Subdivisional Officer of Rajshahi Sadar.

***84. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether Government are aware that the present Subdivisional Officer, Rajshahi Sadar, sits very late in his Court room for trying the cases in his file; and

(*ii*) that he detains clients and lawyers till late hours in the evening?

(*b*) If so, will the Hon'ble Minister please state the usual hours that the courts in Rajshahi Sadar are expected to sit?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Yes, when necessary.

(*ii*) Yes, occasionally.

(*b*) 11 a.m. to 5 p.m., ordinarily.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he has got any report to the effect that on the majority number of working days in the month he sits occasionally?

The Hon'ble Mr. A. K. FAZLUL HUQ: I may mention for the information of the House that the attention of the Magistrate has been drawn to this question, and he has been asked to accommodate litigants and lawyers as much as possible.

Restriction imposed on "Deshervanee".

***86. Sj. NARENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is not a fact that the Government of Bengal have ordered that all matters intended to be published in the *Deshervanee* (Noakhali) shall be submitted for scrutiny to the District Press Adviser before publication for a period of three months?

(*b*) Have the Government stated any reason for the action taken?

(*c*) Is the Hon'ble Minister aware—

(*i*) that the paper has been ventilating the grievances of the Hindu minorities of the Noakhali district; and

(*ii*) that the District Press Adviser of Noakhali refused permission to publish even the purport of the Government order as a piece of news in the *Deshervanee*, which appeared in many papers of Bengal?

(*d*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons for the issuing of the aforesaid order on the *Deshervanee*?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) No.

(*c*) (*i*) The paper had been publishing distorted accounts of alleged "grievances".

(*ii*) Yes.

(*d*) The paper, in spite of warnings, was publishing misrepresentations calculated to promote communal enmity and hatred.

Offences against women.

***92. Rai HARENDRA NATH CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether it is a fact—

(*i*) that offences against women are being committed on an organised scale in the Province; and

(*ii*) that such offences are on the increase?

(*b*) Will the Hon'ble Minister be pleased to state what measures the Government contemplate taking to control such offences?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the total number of—

(*i*) such cases, and

(*ii*) the cases that ended in conviction;

(*iii*) such offences committed against Hindu women;

(*iv*) such offences committed against Muslim women;

(*v*) Hindus accused in such cases;

(*vi*) Muslims accused in such cases;

during each of the years 1938 and 1939 and up to November, 1940?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) No.

(*ii*) Yes.

(*b*) The member is referred to the reply given to his starred question No. 71 (*a*) on the 15th August, 1938. Both the Inspector-General of Police, Bengal, and the Commissioner of Police, Calcutta, are fully alive to the serious nature of these offences and the police are doing all that is possible to check these offences.

(*c*) A statement is laid on the table.

Statement referred to in the reply to clause (c) of starred question No. 92.

	1938.	1939.	1940 (up to November).
(*i*) ..	1,075	1,223	1,199
(*ii*) ..	273	285	220
(*iii*) ..	482	222	550
(*iv*) ..	515	241	649
(*v*) ..	565	162	582
(*vi*) ..	1,278	306	1,308

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state with reference to answer (*a*) (*i*) what grounds there are for Government to think on the crime figures rising that these crimes are not perpetrated on an organised scale?

The Hon'ble Mr. A. K. FAZLUL HUQ: The mere fact that the figures are rising does not justify the inference that there is an organisation behind it.

Rai HARENDRA NATH CHAUDHURI: Having regard to the fact that the police activities have not been able to lower or check these crimes, is Government considering the desirability of adopting further measures to check these crimes?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not quite understand what further measures the honourable member means, but Government have been considering the whole question, because as I had occasion to speak the other day it is a blot on the administration that these offences should be on the increase. Therefore, we are doing our best in the matter.

Rai HARENDRA NATH CHAUDHURI: Is the Government considering the desirability of appointing a committee, say, of three High Court judges to go into the whole question and advise the Government as to what should be done?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give an answer to that straightaway.

Last B.C.S. examination and Scheduled Caste candidates.

***93. Babu MADHUSUDAN SARKAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) how many candidates from the Scheduled Castes appeared in the last Bengal Civil Service Examination;

(*ii*) how many of them have passed the said examination;

(*iii*) how many of them have been provided with the posts of Sub-Deputy Collector; and

(*iv*) whether any of the passed candidates have been recruited as Upper Division clerk?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Nine.

(*ii*) Five, including one found medically unfit.

(*iii*) Two.

(*iv*) No.

(*b*) There was no vacancy for a member of the Scheduled Castes.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state the number of recruitments as Sub-Deputy Collectors this year?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give the figure for this year.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

"Deshapriya", a Bengali weekly of Chittagong.

35. Mr. PRATUL CHANDRA GANGULI: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased state—

(*i*) whether it is a fact that notices have been served by the District Magistrate of Chittagong on the *Deshapriya*, a Bengali weekly paper of Chittagong, ordering it to submit all the matter to the censor before the paper is printed and published;

(*ii*) whether it is a fact that the above order was served 9 months ago and that order is still in force; and

(*iii*) whether it is a fact that four persons, one after another, applied to the District Magistrate of Chittagong for his permission to become printer of the weekly *Deshapriya*?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is a fact that the District Magistrate refused permission to any one of the applicants to become printers and at the same time ordered the paper to stop publication till suitable printer was appointed?

(*c*) Is it a fact that the weekly *Deshapriya* has ceased to be printed and published as the result of the order of the District Magistrate of Chittagong?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*iii*) Yes.

(*ii*) It was served in January, 1940, and is still in force.

(*b*) Permission was refused to these persons on their applications made between 29th March, 1940, and 6th November, 1940. On 17th December, 1940, the Editor was advised to postpone publication till a suitable printer and publisher were declared according to law. The previous printer and publisher had ceased to work as such before this order was passed.

(*c*) Publication was suspended for some time.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state with reference to answer (*c*) whether that paper is being published now?

The Hon'ble Mr. A. K. FAZLUL HUQ: The order is still in force.

Mr. SURENDRA NATH BISWAS: The paper was suspended for some time. I want to know whether it is in circulation now.

The Hon'ble Mr. A. K. FAZLUL HUQ: I want notice.

Mr. SURENDRA NATH BISWAS: With reference to answer (*b*), will the Hon'ble Minister be pleased to state what is the criterion of the suitability of the printer and publisher?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is for the Magistrate to decide; I cannot say.

Externment order on Sushil Chandra Das Gupta.

38. Mr. SURENDRA NATH BISWAS: (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that one Sushil Chandra Das Gupta, employee in the Electrical Department of the Calcutta Corporation, was served with an order of externment from Calcutta directing him to leave Calcutta within 24 hours and to reside in the district of Faridpur;

(*ii*) that upon compliance with the said order of externment he applied to no effect to the Additional Secretary, Political Department, Government of Bengal, for an adequate allowance for maintaining himself and family; and

(*iii*) that he has got no employment since after his externment?

(*b*) Has the Hon'ble Minister considered the desirability of granting a maintenance allowance to the said Sushil Chandra Das Gupta?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Yes.

(*a*) (*ii*) and (*b*) Applications were received and considered but were rejected as the conditions of the internee did not justify an allowance.

(*a*) (*iii*) I have no information.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what were the conditions of the internee which did not justify an allowance?

The Hon'ble Mr. A. K. FAZLUL HUQ: The facts elicited on enquiry are that he was getting Rs. 30 to Rs. 40 a month before restrictive orders were passed. He is now living with his father, a practising mukhtear with an income of Rs. 90 monthly. The father has six sons and four daughters and the internee a wife. Our view is that he is not entitled to an allowance because (*a*) the conditions of the restriction do not preclude his getting employment, and (*b*) his father is in a position to support him.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he is aware that he sought employment, but he could not get any?

The Hon'ble Mr. A. K. FAZLUL HUQ: We have no information.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he will be pleased to enquire into the fact that his father is old and cannot earn even Rs. 30 a month?

The Hon'ble Mr. A. K. FAZLUL HUQ: Our information is otherwise. I cannot say anything further.

Externment order on the Manager of the weekly "Forward Bloc".

39. Mr. SURENDRA NATH BISWAS: (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that one Phani Mazumdar was serving in Calcutta as the Manager of the weekly *Forward Bloc*, while an order was served upon him on the 8th January, 1941. to reside at his father's residence at Madaripur in the district of Faridpur;

(*ii*) that he requested the District Magistrate of Faridpur either to set him free or to provide for his maintenance; and

(*iii*) that the latter refused to do either of the two?

(*b*) Has the Hon'ble Minister considered the desirability of granting an adequate allowance to the said Phani Mazumdar?

(*c*) Will the Hon'ble Minister be pleased to state the reasons for issuing the externment order on him?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Such an order was served on him on the 9th January, 1941.

(*ii*) and (*iii*) On advice given him in an interview with the District Magistrate and Superintendent of Police on 24th January, 1941, he has submitted a petition for amendment of the order or grant of an allowance. This was received by the District Magistrate on 5th February, 1941, and is under that officer's consideration.

(*b*) No application for an allowance has hitherto been received by Government.

(*c*) The local officers report that the order (which was not one of externment) was served as his activities within the district were found to be undesirable.

Mr. SURENDRA NATH BISWAS: With reference to answers (*ii*) and (*iii*), will the Hon'ble Minister be pleased to state whether the District Magistrate has disposed of the petition?

The Hon'ble Mr. A. K. FAZLUL HUQ: Not yet.

Recruitment of Sub-Deputy Collectors from Scheduled Castes.

40. Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of Sub-Deputy Collectors recruited this year;

(*b*) the number of them that are from the Scheduled Castes; and

(*c*) whether percentages of the communal ratio in services were observed in the matter of those recruitments?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Twenty.

(*b*) Two.

(*c*) Yes.

STARRED QUESTION

(to which oral answer was given)

(At this stage question No. 125 was called.)

The Hon'ble Mr. A. K. FAZLUL HUQ: As regards this question I have made certain enquiries——

Mr. SPEAKER: The answer may be taken as read.

Persons under Defence of India Rules.

***125. Mr. SYED JALALUDDIN HASHEMY:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of persons arrested and convicted, detained and restrained in the Province under the Defence of India Rules showing the figures separately, district by district including Calcutta, from the 1st January, 1940, to 31st January, 1941;

(*b*) the number of persons arrested and convicted for offering *satyagraha* in the Province showing the figures separately, district by district including Calcutta, from the 1st January, 1940, to 31st January, 1941;

(*c*) the number of persons now in the jail hospitals under medical treatment amongst those convicted or detained under the Defence of India Rules with their names and addresses showing the figures separately, district by district; and

(*d*) the number of them released on medical ground with their names from the 1st January, 1940, to 31st January, 1941?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) Statistical information as desired by the honourable member is not readily available and to compile it would entail an expenditure of time, labour and money which I am not prepared to undertake. Information to hand is, however, included in the statement laid on the table.

(*c*) and (*d*) The information is not available but is being obtained and I will communicate the results of my enquiry to the honourable member on receipt of replies.

Statement referred to in the reply to clauses (a) and (b) of starred question No. 125, giving information up to the latter half of January, 1941.

	Number of persons dealt with under the Defence of India Rules.				Number of *satyagrahis*.	
	Arrested.	Convicted.	Detained.	Restricted.	Arrested.	Convicted.
Burdwan ..	82	41	..	7	..	..
Birbhum ..	2	28	..	11	2	2
Bankura ..	5	9	..	2	2	2
Midnapore ..	27	25	..	6	10	10
Hooghly ..	17	20	..	35	5	5
Howrah ..	9	10	..	14	..	..
24-Parganas ..	3	9	..	3	1	1
Calcutta ..	403	392	..	24	..	..
Nadia ..	7	11	..	1	3	3
Murshidabad ..	4	12	..	11	1	1
Jessore ..	2	3	..	..	1	1
Khulna ..	6	7	..	..	..	..
Rajshahi ..	10	..	..	8	..	..
Dinajpur ..	5	23	..	27	1	1
Jalpaiguri ..	112	9	..	4	..	..
Darjeeling ..	..	..	..	7	..	..
Rangpur ..	9	39	..	7	1	1
Bogra ..	2	..	..	5	..	..
Pabna ..	3	3	..	..	..	..
Malda ..	..	2	..	8	..	..
Dacca ..	49	29	..	98	..	..
Mymensingh ..	28	51	..	175	2	2
Faridpur ..	42	35	..	16	..	..
Bakarganj ..	10	14	..	36	..	..
Tippera ..	43	38	..	40	3	3
Noakhali ..	3	24	..	23	1	1
Chittagong ..	11	36	..	112	..	..
Total ..	894	870	140	680	33	33

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I would not be able to answer any supplementary question.

Mr. SPEAKER: First let us see whether there are any supplementary questions at all.

(No supplementary questions were put.)

Message from the Bengal Legislative Council.

The Secretary then read the following message received from the Bengal Legislative Council, namely:—

"That the Bengal Motor Spirit Sales Taxation Bill, 1941, was passed by the Bengal Legislative Council with amendments at its meeting held on the 11th of March, 1941, and that the concurrence of the Assembly be asked to the amendments made in the Bill by the Council". The amendments are laid on the table.

DEMANDS FOR GRANTS.

7—Land Revenue.

Mr. SPEAKER: I must close this debate at about 6 o'clock.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I rise to oppose the cut motion moved by Mr. Asimuddin Ahmed and my reasons are very simple. The House is aware that Government appointed some time ago a special committee to enquire into the whole problem about the Chandina tenants and that committee has just concluded its labour. The report is not available. The report is being prepared and Government hope to receive the report within the next few days. In order to give relief to the tenants of Chandina areas, pending comprehensive legislation by Government, last year the House passed a Bill known as the Non-Agricultural Temporary Provisions Bill. It has given a respite to the Chandina tenants. In this view of the matter I don't think that there is any justification for the observation that Government have failed to give relief to the Chandina tenants.

With these few words I oppose the cut motion.

The motion of Mr. Asimuddin Ahmed that the demand of Rs. 31,58,000 under the head "7—Land Revenue" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—33.

Abdul Wahed, Maulvi.	Chakrabarty, Mr. Jatindra Nath.
Abul Fazl, Mr. Md.	Chaudhuri, Rai Harendra Nath.
Ahmed Khan, Mr. Syed.	Das, Mr. Monmohan.
Banerji, Mr. Satya Priya.	Das Gupta, Babu Khagendra Nath.
Barma, Babu Prembari.	Dutta Gupta, Miss Mira.
Barman, Babu Shyama Prosad.	Dutta Mazumdar, Mr. Nibaronde.
Barman, Babu Upendra Nath.	Emadul Haque, Kazi.
Bhowmik Dr. Gobindra Chandra.	Ghose, Mr. Atul Krishna.
Biswas, Mr. Surendra Nath.	Giasuddin Ahmed, Mr.

Gupta, Mr. J. N.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Majumdar, Mrs. Hemaprova.
Manirusamman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Sanyal, Mr. Sasanka Sekhar.
Shahedali, Mr.
Singha, Babu Kshetra Nath.
Wahiur Rahman, Maulvi.

NOES—68.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Majid, Maulvi.
Abdulla-Al Mahmood, Mr.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S.
Abdul Motaleb Malik, Dr.
Abdus Shaheed, Maulvi Md.
Abul Hossain Ahmed, Mr.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Altazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Bell-Hart, Miss P. B.
Biswas, Mr. Rasik Lal.
Chippendale, Mr. J. W.
Das, Mr. Anukul Chandra.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Griffiths, Mr. C.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hatemally Jamadar, Khan Sahib Maulvi.
Heywood, Mr. Rogers.
Kabiruddin Khan, Khan Bahadur Maulvi.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, Mr. Tarknath, M.B.E.
Mullick, the Hon'ble Mr. Mukunda Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sassoon, Mr. R. M.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Speller, Mr. J. H.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Yousuf Mirza.
Yusuf Ali Choudhury, Mr.

The Ayes being 33 and the Noes 68, the motion was lost.

Mr. SHYAMA PROSAD BARMAN: Mr. Speaker, Sir, I beg to move that the demand of Rs. 31,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100. In this connection I want to raise a discussion about the urgency of further amending the Bengal Tenancy Act with a view to abolishing the law of arrest and detention and imprisonment of the judgment-debtor.

Sir, the law, which empowers a creditor to arrest and put into prison the judgment-debtor for his debts is a most iniquitous and savage law of the country. This law is the reminiscence of the custom prevailing in ancient Greece and Rome where in bygone days the debtor was the slave of the creditor. But now in Europe this law has

been abolished, but it is a matter of great regret that it is still on the Indian statute book. The question of freedom of the debtor from harassing threat of arrest and detention in prison need not be overstressed in these days of democracy. Section 60 of the Civil Procedure Code which applies to all suits and execution cases, provides exemption from attachment the tools of artizans, the implements of husbandry where the judgment-debtor is an agriculturist and such cattle and seed-grain as may, in the opinion of the Court, be necessary to enable him to earn his livelihood. Section 61 further provides that the Provincial Government may declare that such portion of agricultural produce or of any class of agricultural produce, as may appear to the Provincial Government to be necessary for the purpose of providing until the next harvest for the due cultivation of the land and for the support of the judgment-debtor and his family, shall be exempted from liability to attachment or sale in execution of a decree. But, Sir, it is very curious that the law has no respect for the person of the judgment-debtor. The judgment-debtor is allowed by the law to cultivate his land and maintain his family. But suppose during the season for cultivation the agriculturist, the only earning member of the family, is arrested and detained in prison for six months by a Civil Court on the application of the creditor. Then the question is as to who will cultivate the land and maintain his family in his absence. To quote the words of Sir Courtenay Ilbert, "Of what use is it to preserve by law to the debtor the bare necessaries of life when he can be compelled to give them up by threat of imprisonment?" In that case, the effect of exemption of tools of artizans and implements of husbandry from attachment becomes nugatory, so long as there exists the provision for arrest and detention in prison of the judgment-debtor. There is another thing worth mentioning in this connection, and that is that the judgment-debtor shall not merely by reason of release from prison be discharged from his debt even after serving out the full term of imprisonment. The subsistence allowance paid by the creditor will be added to the decretal amount as the cost of the execution case. Can any law, Sir, be more atrocious than this? There would have been some justification of the law if the decretal amount for which the judgment-debtor was arrested would have been fully satisfied by detaining the judgment-debtor in prison for six months or six weeks as the case may be. This law is meant mainly to humiliate the poor debtor, but it not only entails unnecessary humiliation and harassment of the judgment-debtor, but it also entails great economic waste. By the Bengal Tenancy (Amendment) Act of 1940 (Act XVIII of 1940), a new section 168A has been inserted, and by that section it has been provided that notwithstanding anything contained elsewhere in this Act or in any other law or in any contract, a decree for arrears of rent due in respect of a tenure or holding whether having the effect of a

rent decree or money decree or a certificate for such arrear signed under the Bengal Public Demands Recovery Act, 1913, shall not be executed by the attachment and sale of any movable or immovable property other than the entire tenure or holding to which the decree or certificate relates. Now, Sir, in enacting this salutary provision of law the intention of the Legislature was that the rent being the first charge on the holding, the decree or the certificate should be executed by attachment or sale of the defaulting tenure or holding and the attachment and sale of no other movable and immovable property of the judgment-debtor has been prohibited by the law. Section 55 of the Civil Procedure Code relates to the arrest and detention of the judgment-debtor in prison, and it is still in force. Therefore, the subsequent Act of this Legislature may not become effective if a creditor takes recourse to section 55 of the Civil Procedure Code. And in this way the good intentions of this Legislature may be baffled and the salutary provision of law made by it may be frustrated by the creditor by taking recourse to section 55. Even then the exemption from attachment and sale of movable and immovable property will be rendered nugatory and ineffective unless and until the law for the arrest and imprisonment of the judgment-debtor is abolished. Even without attachment and sale a judgment-debtor can be forced to sell his all by the mere threat of arrest and imprisonment. I submit, Sir, that it is a curious anomaly in law. I do not know whether it is intentional or accidental that the Bengal Tenancy (Amendment) Act of 1940 exempts from attachment and sale the movable and immovable properties of the judgment-debtor. But it does not exempt from arrest and imprisonment of the person of the judgment-debtor. The sooner this anomaly is removed the better. The power of arrest and imprisonment given under the law to the creditor was seldom and very sparingly used by him, but since the publication of the assent of the Governor to this Bengal Tenancy Act, 1940, in the *Calcutta Gazette* on the 9th January, 1941, the cases of arrest and imprisonment have enormously increased. Where the land has little value and the landlord apprehends that there will not be any third party auction-purchaser, he proceeds against the movable property of the judgment-debtor, but since the amendment of the Bengal Tenancy Act, 1940, that course has been closed. The landlord now proceeds against the person of the judgment-debtor. The main object of inserting the new section 168A in the Bengal Tenancy Act is to mitigate the unnecessary harassment arising out of attachment or sale of movable and other immovable properties of the judgment-debtor by the landlords, but as the provision for arrest and detention in prison of the judgment-debtor is there in the statute book, instead of there being any mitigation there has been aggravation of humiliation and harassment of the tenants. A notice under Rule 37 of Order 21 of the Civil Procedure Code for showing cause why the

tenant should not be arrested is sufficient enough to scare him away and put him out of his wit's end just to compel him to sell his little belongings, that is, cattle, his seed-grain and agricultural produce which the law prohibits from attachment. Now, in the Bengal Money-lenders Act of 1940 there is a provision under section 37. Section 37 of the Money-lenders Act provides that, "Notwithstanding anything contained in any law for the time being in force, no Court shall order execution of a decree passed in any suit to which this Act applies for arrest and detention in prison of the judgment-debtor." So, under the Bengal Money-lenders Act the arrest and detention in prison of the judgment-debtor is specifically prohibited, but I fail to understand why a similar provision should not be made in the Bengal Tenancy Amendment Act for abolishing the arrest and imprisonment of the tenants by the landlords.

Sir, I appeal to the Hon'ble Minister that he will without any delay bring a suitable legislation for abolition of the law of arrest and detention in prison of the judgment-debtor. With these words I commend my motion to the acceptance of the House.

Mr. SASANKA SEKHAR SANYAL: Mr. Speaker, Sir, I crave the indulgence of the House to put in a few words in support of the motion which has been so ably put by my friend Mr. Barman. Sir, the question is a very important one and it has arisen out of certain laches on the part of the Legislature. Mr. Barman made it formidably clear that the policy of this House has been a progressive relaxation of the rules operating against the judgment-debtor. Sir, so far as the Money-lenders Act is concerned, by section 37 it has been made clear that persons will not be liable to arrest whatever may be the character, quality and quantity of the indebtedness, and it is only a bare justice which is long overdue that has been introduced by the provisions of section 37 of the Act. But the difficulty of the provision for arrest under the Bengal Tenancy Act, which also by the bye is an improvisation of the Civil Procedure Code, remains where it was.

Sir, the method of execution for realisation of arrears of rent has been laid down in the Bengal Tenancy Act as a replica of the provisions of the Civil Procedure Code and the hardship caused upon the judgment-debtor in rent suits has been sought to be mitigated by the amendment of the Bengal Tenancy Act, but, Sir, the difficulty is that the amendment of the Bengal Tenancy Act touches only the question of immovable property, but does not go further. By the provisions of the Bengal Tenancy Amendment Act, whenever there is a question of following immovable property, we have decided by a piece of legislation that the property which will be liable to be followed is

only the holding in question and no other immovable property. But that does not touch the question of realisation of arrears of rent by following the person of the judgment-debtor himself.

Now, Sir, probably my friend the Hon'ble the Revenue Minister will say that under section 51 of the Civil Procedure Code it is not merely an application of a desire of the landlord which will make them liable to arrest, but we know from our experience that an ordinary affidavit is good enough for bringing the judgment-debtor within the purview of that section. For example, the law says that whenever a judgment-debtor is about to leave his place of residence or otherwise tries to defraud the decree-holder, then an application for arrest will lie. Now, Sir, a tenant will go to a relative's house in the next village, probably to the house of the daughter or son-in-law, and he will probably wait there for a week or so that the decree-holder's *gomastha* will run to the Civil Court and will swear an affidavit that the tenant has fled away from his place of residence without making any arrangement for the payment of decretal dues, and he has fled away with a view to defrauding the dues of the decree-holder. At once there will be simultaneous processes, one in connection with the notice to show cause and another by way of arrest, and when the judgment-debtor will be brought under arrest he will neither have the nerve nor resources to combat the sworn testimony of the landlord. I fully appreciate the difficulties that have been advanced by my friend Mr. Barman, and I also speak from my personal knowledge that ever since the enactment of the last Bengal Tenancy Act the big zemindars like the Midnapore Zemindary Company and other zemindars have consulted lawyers and even eminent lawyers of Calcutta, and I know an organised attempt is being made throughout Bengal on behalf of the landlords to defeat the provisions of the Bengal Tenancy Amendment Act by putting into operation in a large number of cases the provisions of section 51 of the Civil Procedure Code.

Sir, if we have been able to do justice to the judgment-debtors in other cases, let us also be fair and square to the judgment-debtors in rent decrees and let us, Sir, give a final shape to the policy of this House that whatever may be the indebtedness, the indebtedness must not make the debtor liable to personal arrest, and I hope my friend the Hon'ble the Revenue Minister will consider the question in a broad and sober spirit, and will try to implement the previous amendment by introducing a further amendment to set at rest this complicated question which is bound to give rise to numerous difficulties all over the province. If this is not remedied, the landlords will take recourse to a larger number of such applications and that will embitter the already bitter relations between the landlords and the tenants. So, in the interest of the tenants, in the interest of the zemindars, in the

interest of the purity of the progressive legislation that we have mooted, let us hope that the Hon'ble Minister will give a finishing touch in a proper way in this connection.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I have listened with very great interest to the interesting speech which my honourable friend Mr. Sanyal has just delivered, but I have a shrewd suspicion, Sir, that my friend has spoken on theory and not from actual experience; moreover, he had neither the Civil Procedure Code before him, nor a copy of the amended Bengal Tenancy Act. The first mistake he made was by stating that the amended section 168 of the Bengal Tenancy Act only made it obligatory on the landlord to realise arrear rent from the holding, but it does not safeguard other properties. Mr. Sanyal said that the landlord cannot touch any other immovable property. That is not a fact. The landlord cannot touch any other movable or immovable property. (Mr. SASANKA SEKHAR SANYAL: No, no, it is the person and not property.) I am coming to that. The landlord cannot touch any other movable and immovable property. So that is the first mistake which my honourable friend Mr. Sanyal has committed. The section takes into consideration both movable and immovable properties. (Mr. SURENDRA NATH BISWAS: What about the person?) About the person he has made a reference to section 51 of the Civil Procedure Code. Under provisions of section 51 of the Civil Procedure Code no Court can order execution of a decree for payment of money by detention in prison, unless it is satisfied that the judgment-debtor with the object of obstructing or delaying the execution of the decree (1) is likely to abscond or leave the local limit of the jurisdiction of the Court. That question does not arise, in case of rent decrees, because rent is the first charge and the landlord must proceed against the holding in arrear. Even if the tenant absconds, he cannot abscond with the land. So that argument of Mr. Sanyal falls to the ground.

Mr. SASANKA SEKHAR SANYAL: How?

Mr. SURENDRA NATH BISWAS: Are arrests made illegal?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Arrest can be made under sub-clause (*ii*) of section 51 of the Civil Procedure Code.

Sub-clause (*ii*) of section 51 runs thus:—

"Unless the Court is satisfied that the judgment-debtor has after the institution of the suit in which the decree was passed dishonestly transferred, concealed or removed any part of his property or committed any other act of bad faith in relation to his property."

This is the only section under which a landlord or creditor may proceed against the judgment-debtor.

Mr. SASANKA SEKHAR SANYAL: Under (*i*) and (*ii*)?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Clause (*i*) does not apply after the amendment of section 168 of the Bengal Tenancy Act. He must first of all proceed against the holding in arrear. So even if the tenant absconds, that does not justify proceeding against his person. Mr. Sanyal has said that mere affidavit would convince the Court that money is not realisable. But that is not a fact, Sir

Mr. SURENDRA NATH BISWAS: Are not these things done by affidavit?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. How can it be done after section 168 of the Bengal Tenancy Act has been amended. If we dispose of clause (*i*), we must fall back on clause (*ii*), and in the case of clause (*ii*), it applies only to those cases where the tenant after the decree has been passed has fradulently transferred the holding in arrear. So you should have no sympathy for a person who is out to defraud. If you want to shield a person who is definitely committing an act of bad faith, who is prepared to defraud his creditor, I have nothing to say.

Mr. SPEAKER: The whole question is that these things are done by affidavit.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Even if this is done by affidavit, the landlord cannot get away from the fact that there is the holding in arrear and the landlord must satisfy the Court——

Mr. SURENDRA NATH BISWAS: He does not proceed against the property. He proceeds to arrest the man.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: How can he? In that case he must satisfy the Court that the property has been transferred fradulently. [Mr. SASANKA SEKHAR SANYAL: Look at clause (*ii*).]

Mr. SPEAKER: It is a debatable point of law.

Mr. SYED JALALUDDIN HASHMEY: There is misunderstanding on both sides.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not think that there is any substance in the arguments advanced.

Mr. SANTOSH KUMAR BASU: Anyhow that is your reply.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir; that is my reply, and I am fully convinced of the logic of my reply. There is no necessity for amending the Act. Moreover, the landlord wants money. It does not pay a landlord to put a judgment-debtor into prison, because it means additional cost so far as he is concerned.

Mr. SASANKA SEKHAR SANYAL: The cost is charged against the holding. It will be added.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He has to deposit the cost before he can put the judgment-debtor into prison. I do not think, Sir, that the landlords are anxious to put the tenants into prison ignoring the arrear rent.

Mr. SURENDRA NATH BISWAS: I could not follow the Hon'ble Minister. May I enquire whether the Hon'ble Minister means that a landlord or a creditor cannot proceed against his tenant or judgment-debtor for execution of a decree by arresting him?

Mr. SPEAKER: After hearing both sides, all I wish to say is that it is a very debatable question of law. I don't think that this question can be settled in the Assembly.

Mr. SASANKA SEKHAR SANYAL: We are not anxious for voting, but we want the Hon'ble Minister to refer the matter to the Law Department for their advice, so that the matter may be settled.

Mr. SPEAKER: If there are any instances in which things have happened as you have stated, then it would be better to put a question.

Mr. SASANKA SEKHAR SANYAL: I will put a question to elicit information regarding some districts in which this is being done.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is no use putting a question, because my friend has said that there is an organised attempt on the part of——

Mr. SASANKA SEKHAR SANYAL: I have said that it will only lead to an organised attempt on the part of the zemindars.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: In any case, I am prepared to give this much assurance that we shall examine this question and if we find that this provision is being abused, Government will certainly come forward with an amendment. But at least this is not a problem as yet.

The motion of Mr. Shyama Prosad Barman that the demand of Rs. 31,58,000 under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

Mr. ATUL CHANDRA KUMAR: Sir, I beg to move that the demand of Rs. 31,58,000 under the head "7—Land Revenue" be reduced by Rs. 100.

I am glad to learn that the Revenue Minister has realised that there will be hardship on the tenants if the revaluation is made under Chapted VIIA of the Bengal Cess Manual I want to add some arguments which may help the Hon'ble Minister to decide to stop the revaluation under the said chapter. Under this chapter cess is assessed on annual value of cess-paying land. The annual value of cess-paying lands is calculated not upon rent payable but upon "acreage rate" as determined under section 107D of the Act The acreage rate is determined to reach a figure by which the existing cess demand can be increased by more than 20 per cent. Section 107D (*2*) (*b*) reads thus —"a rate likely to increase the total cess demand in the district by more than 20 per centum." Please mark that at least 20 per centum of cess should be increased by the district authorities. Therefore, the district authorities must manipulate the figure so that the cess demand may be increased by more than 20 per cent. I must say that it is wrong in principle that at least 20 percentum is to be increased whether the economic condition is good or bad——

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Is that so?

Mr. ATUL CHANDRA KUMAR: Yes, Sir, that is the rule, and I must say that that is wrong in principle. The district authority has to reach that figure even by manipulation. In determining such a rate the Collector shall take amongst others the following matters into consideration:—

(1) The maximum rate according to his estimate under sub-section 107D(*2*)(*b*).

(2) The amount of the existing demand for Road Cess and Public Works Cess in the district and the incidence thereof.

(3) The rate of rent generally payable by *raiyats* or under-*raiyats* of all grades

Sir, the result of consideration of all these matters is meant to be that the cess demand must be increased by more than 20 per cent. If that be the case, what is the good of those factors being taken into consideration——

Mr. SPEAKER: But my impression is that the Act puts a limit that it should not exceed more than 20 per cent., and that does not mean that it must be increased necessarily to 20 per cent.

Mr. ATUL CHANDRA KUMAR: The condition under which the assumption is made that the land produces a normal crop of paddy does not hold good. The agricultural yield has deteriorated. The figures of total yield and export of rice and jute of 1928-29 when compared with those of 1935-36 will find a decline of yield, for the prices of 1935-36 have fallen to one-half of those of 1928-29 instead of having increased.

(At this stage the Hon'ble Sir Bijoy Prasad Singh Roy and Mr. Sasanka Sekhar Sanyal were conferring with Mr. Speaker, when Mr. Atul Chandra Kumar after a pause drew the attention of Mr. Speaker in the following terms.)

Sir, this is a very important question, and I would request Sir Bijoy Prasad to give me a hearing. It is especially important in that even the Revenue Department was not aware of this law.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: You are simply misreading the rule.

Mr. ATUL CHANDRA KUMAR: No, Sir, that is not so.

I am quoting from a book by Mr. Niranjan Roy M.A., B.L., which says, "Many such factors may be mentioned: the rate of rent is being determined on the general productivity of each area, but the conditions under which the produce of the land is obtained shall not apply. Each of these factors demand expert knowledge and practical skill and experience and skill in matters of agriculture which, if not adequately provided for, will result in palpable injustice, in spite of precautions of an elaborate process of publications as envisaged in sections 107G and 107F." And your District Magistrates are not experts as stated by Mr. Niranjan Roy, M.A., B.L., from whose works I have quoted. There is no provision to take into account the cost of cultivation while calculating the annual income of the land.

Sir, I am quoting the figures of the district of Malda by way of example. I am glad that after objection being taken by me and other tenants, the district has been divided into four units in place of two as previously done, and the annual value of the land has been determined in place of Rs. 50 and Rs. 40 at Rs. 31-4, Rs. 32-8, Rs. 35 and

Rs. 40. The acreage rate will be one-fifth maximum and though the provision is that the acreage rate is fixed at one-fifth of the maximum figure, the acreage rate is roughly Rs. 7 on an average. The tenants will have to pay cess for an acre of land at 3 annas and 6 pies.

On rental basis the cess demand was, according to the Government figure for a *raiyati* tenant, 1 anna 1½ pies per acre on average That means that the tenant has to pay 2 annas 3½ pies more In these hard days when the tenants cannot afford to pay rents, they have to bear an additional burden of 2½ annas as cess in addition to what is paid by them now Now the cess is paid on rental basis, though the rent is in excess (in the district of Malda, the revenue paid by zemindars is Rs 4,81,222-3-9 and the rents realised by them is Rs. 25,78,584) And still the Maharajkumar Bahadur of Burdwan will say that compared to the revenues paid by the zemindars the rents realised by them are not excessively high. He has cited the *raiyati* rents prevailing in the districts of Hooghly and Howrah being Rs. 7-7 and Rs. 8-3 respectively, but he has forgotten to mention the average rent paid by the under-*raiyat* there. I may tell him that the average rent that the under-*raiyat* there pays to the zemindar is Rs 14 for Hooghly and Rs 18 for Howrah per acre. Coming back to my district of Malda, Sir, the zemindar pays a revenue of 6 annas on an average, whereas the tenant has to pay Rs. 2-4 for *raiyati* land and Rs. 5-10 for under-*raiyati* land. Then if the cess is realised on a rental basis, there are some fixed data on which it is done. But the tenants have been paying excess rent since the last Great War and they are paying excess cess as well on the said excess rent. The revaluation to be made under this chapter of the cess to be paid is based on the estimated value of annual produce of the land and not on the actual produce of the land. The estimate is made on the supposition that the land produces normal yield.

In reply to my question No. 184, dated the 22nd March, 1941, the Hon'ble Minister admitted that there is a partial failure of crop this year in the district of Malda. Assuming that the produce of the land is Rs. 35 per acre according to the figure arrived at by the District Magistrate, the cost of the produce is roughly Rs. 28 per acre besides rent and existing cesses. After meeting all these charges, the agriculturists can hardly have two meals a day. Bengal's income from agriculture has reached a saturated point, and I shall be glad if the Hon'ble Minister under the circumstances will stop the revaluation even at this stage; otherwise, I am afraid the Government will invite non-payment of cesses as the tenants cannot bear the burden of paying one single pie more for they are already overburdened with taxation.

I will now read out from a letter which I shall hand over to the popular Chief Minister of Bengal afterwards. It is to the following effect :—একর প্রতি জমির উৎপন্ন ফসলের গড়পড়তা বাৎসরিক মূল্য ম্যাজিষ্ট্রেট বাহাদুর

৫০৲ টাকা ধার্য্য করিয়াছেন। ৫০৲ টাকা দূরের কথা ১৫৲ টাকাও হয় না। একর প্রতি বাৎসরিক ১৫৲ টাকা কেহ দিলে আমরা প্রত্যেকেই নিজ নিজ জমি ছাড়িয়া দিতে প্রস্তুত আছি। জমির খাজনা আমরাই বহন করিব।

When this came to our notice, I wrote to the District Magistrate on the 19th November, saying that I shall be glad to know how you obtained the figure which you accept as the basis of your calculation in determining the average annual income. No reply has yet been received from the District Magistrate to my letter. I shall only quote from the Report of the Survey and Settlement Operations in the district of Malda prepared by Mr. M. O. Carter on the basis of which the revaluation is going to be made. During the years 1928-35 Mr. Peddie proposed that settlement operations should be taken up immediately. He apprehended that the existing agrarian trouble might become intensified, particularly in the Barind area, unless early action is taken to protect the tenancy right. Even so at that time what was the condition? After the economic depression of 1930, figures were taken for three families in the district of Malda. In two cases it was found Rs. 18-2-6 and Rs. 5-4 in case of ordinary agriculturists and in the third case, which was the case of a big man, a tenure-holder, the balance was found to be Rs. 70. It might necessarily be expected that during the economic depression which began in the middle of the settlement operations, that is, in the year 1930, most of the families under this head would have been in such a plight that relief operations would have been necessary, but that was not the case. The truth is that in times of depression the cultivator is compelled to lower his standard of living like everyone else. Sir, I will only quote one passage——

Mr. SPEAKER: I think it is simple, although it may be interpreted in the other way. The Act says, "Such rate shall not exceed a rate likely to increase the total cess demand in the district by more than 20 per cent." In other words, your rate must be such that if you want to increase, you cannot do it beyond 20 per cent.

Mr. SASANKA SEKHAR SANYAL: Even then 20 twenty per cent. is there.

Mr. SPEAKER: No, no; it does not mean that it must go up to 20 per cent. It may be 2 per cent.; it may be 5 per cent.; but it must not go beyond 20 per cent.

Mr. SASANKA SEKHAR SANYAL: That may be. But then 20 per cent. is also permissible.

Mr. SPEAKER: Yes, that is the law.

Mr. ATUL CHANDRA KUMAR: Sir, I shall only quote one passage from Lord Linlithgow's speech. I think Sir Bijoy has some regard for Lord Linlithgow at least. Lord Linlithgow delivered this speech in the Princes' Chamber. He said: (with only slight modifications) "This is a time of changing ideas and of new political conceptions and the importance of taking such measures and taking them in time needs no emphasis from me." It is high time the Government became conscious of their duty towards their people. Indeed, "it will be foolish on the part of the Government if they leave the future to chance."

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am afraid, Sir, my honourable friend has misunderstood the law. I do not admit there is any provision in Chapter 7A of the Cess Act which entitles Government to increase the cess at least by 20 per cent. That is not so. On the other hand, there is a check; it is the maximum limit that is provided. If there is any increase, the increase should not exceed 20 per cent. That is the law. (Mr. SURENDRA NATH BISWAS: Then amend it.) I am afraid my honourable friend has misunderstood it and has misinterpreted it—I should not say wilfully—due to misconception.

Mr. SPEAKER: Sir Bijoy, if you look at the exact way in which the Act has been printed, it is likely to be misunderstood. What should have been done is this. Paragraphs (*a*) and (*b*) should have been so printed and placed that sub-paragraphs (*i*), (*ii*) and (*iii*) might be taken as sub-paragraphs of the whole thing; but as it is printed, (*b*) may be taken as a sub-paragraph of (*i*), (*ii*) and (*iii*). It is really the way of placing which may give rise to misunderstanding, and I think the mistake may be corrected by rearranging If you look at the thing you will see it.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir, I will look into it. In any case, I explained to the House the other day that the operations under Chapter 7A have not proved a success at least so far as we have been able to ascertain. On the other hand, though the total cess demands in the districts are going down, in certain individual cases the incidence of cess is going up and going up very much. It is giving relief to the class of people who are placed in the category of cess tenure-holders—they are in many cases occupancy *raiyats* who let out only a portion of their land in *barga*. They may be very poor people and they do deserve relief. At the same time people who also are equally poor, the ordinary cultivating *raiyats*, their incidence of cess is going up in course of revaluation under Chapter 7A. So, Government have decided to look into the question very carefully before they actually enforce the newly revalued cess. We are

trying to ascertain certain data. It is necessary for us to obtain certain data before we come to a decision. So I hope that will satisfy my friend and if he will supply me with specific instances, I shall carefully examine them.

Mr. SPEAKER: I did not want to intervene, but I venture to make this suggestion because I happened to be one who was a participant in the debate. You remember it Sir Bijoy?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir, I remember it. In fact, one-fifth limit was my suggestion.

Mr. SPEAKER: The whole misunderstanding will be avoided if (*a*) and (*b*) are shown in one column and (*i*), (*ii*) and (*iii*) are shown as sub-paragraphs of the whole thing in another column. This is only a printing arrangement.

The motion of Mr. Atul Chandra Kumar that the demand of Rs. 31,58,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100 was then put and lost.

The main motion of the Hon'ble Sir Bijoy Prasad Singh Roy that a sum of Rs. 31,58,000 be granted for expenditure under the head "7—Land Revenue" was then put and agreed to.

41—Veterinary.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 7,19,000 be granted for expenditure under the head "41—Veterinary."

Mr. SASANKA SEKHAR SANYAL: Sir, I am not moving my motion No. 26. We are giving the lead to Mr. Hashemy to move his motion No. 27.

Mr. SPEAKER: Is there any other motion likely to be moved?

Mr. PUSPAJIT BARMA: Yes, Sir, I want to move my motion No. 33.

Mr. SYED JALALUDDIN HASHEMY: Sir, I beg to move that the demand of Rs. 7,19,000 for expenditure under the head "41—Veterinary" be reduced by Rs. 100. The purpose of my motion is to raise a discussion about the maladministration in the Calcutta Society——

The Hon'ble Mr. A. K. FAZLUL HUQ: May I know what motion the honourable member is moving?

Mr. SYED JALALUDDIN HASHEMY: I am moving my motion No. 27 with a slight change.

The Hon'ble Mr. A. K. FAZLUL HUQ: It is not a slight change. It is a violent departure from the procedure. Motion No. 26 relates to maladministration and motion No. 27 is about grant. I would like to know which motion my friend is moving.

Mr. SASANKA SEKHAR SANYAL: Sir, we have made our position clear. Instead of myself moving motion No. 26, we have given the initiative to Mr. Hashemy to move his motion No. 27. Mr. Maqbul Hosain will move motion No. 28 and Mr Puspajit will move motion No. 33. We shall concentrate discussion on the question relating to the Calcutta Society for the Prevention of Cruelty to Animals on motion No. 27.

The Hon'ble Mr. A. K. FAZLUL HUQ: But he is moving motion No. 26.

Mr. SYED JALALUDDIN HASHEMY: I am moving my motion No. 27. But, Sir, it does not matter——

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, it does matter.

Mr. SYED JALALUDDIN HASHEMY: Sir, I beg to move that the demand be reduced by Rs. 100. The purpose of my motion is to raise a discussion about the grant to the Calcutta Society for the Prevention of Cruelty to Animals.

The Hon'ble Mr. A. K. FAZLUL HUQ: That is all right.

Mr. SYED JALALUDDIN HASHEMY: It is absolutely unnecessary for me——

The Hon'ble Mr. A. K. FAZLUL HUQ: Then, don't speak.

Mr. SYED JALALUDDIN HASHEMY: I will not speak, but I will give you a file. I do not propose to make a speech about the Calcutta Society for the Prevention of Cruelty to Animals. My reason is this, that we are absolutely fed up, fed up in the sense that we find no force in the opposition. Nor do we find any life in the Coalition Party. The members of the Coalition Party are busy auditing the accounts of their achievements and failures of the past four years.

The Hon'ble Mr. A. K. FAZLUL HUQ: Has that anything to do with cruelty to animals?

Mr. SASANKA SEKHAR SANYAL: Yes, because we are all animals.

Mr. SYED JALALUDDIN HASHEMY: I have just noticed that Mr. Sassoon has, with the help of a big file, instructed the Hon'ble Chief Minister with regard to the question under discussion, and I hope, Sir, that the Hon'ble Chief Minister will not take brief on behalf of a member of the Calcutta Society for the Prevention of Cruelty to Animals in this House. I will not, as I have already said, make a speech on this subject. Only I will quote a few passages from a very reasonable and unprejudiced speech delivered 364 days——

Mr. C. MORGAN: Days or years?

Mr. SYED JALALUDDIN HASHEMY: Days not years, from a speech delivered on the 28th of March, 1940, by Maulvi Abul Hossain Ahmed, M.L.A. A copy of that speech was forwarded to the Home Minister as well as to the Hon'ble Chief Minister. Before I submit the paper I have in my hand to the Hon'ble Chief Minister, I will remind him of the fact that several members belonging to his party submitted a memorial to the Hon'ble Home Minister and to the Hon'ble Chief Minister. The signatories of the memorial are—

Mr. Abdul Karim, M.L.A.

Khan Sahib Hatem Ali, M.L.A.

Mr. Hamiduddin Ahmed, M.L.A.

Mr. Abdur Razzaque, M.L.A.

Mr. Ahmed Hossain, M.L.A.

Mr. Syed Golam Sarwar, M.L.A.

Mia Abdul Hafiz, M.L.A.

Mr. Md. Israil, M.L.A.

Khan Bahadur Hashim Ali Khan.

Mr. Aminullah, and others.

Then again, Maulvi Abul Hossain Ahmed submitted another memorial to the Hon'ble Home Minister and to the Hon'ble Chief Minister. Amongst other things, he quoted the report of the Pearson Committee and requested the Hon'ble Chief Minister to take immediate action on the report submitted by the Pearson Committee in the year 1931. I will furnish the Hon'ble Chief Minister not with the editorial comments that appeared from time to time in the *Amrita Bazar Patrika*,

Advance, *Hindusthan Standard* and other English and vernacular dailies of Calcutta, but I cannot resist the temptation of giving him several cuttings not from correspondence but from the editorial comments of the semi-official paper of the Coalition Party, I mean the *Azad*. Sir, with your permission I will read some passages from the *Azad* with regard to the maladministration that is going on in the Calcutta Society for the Prevention of Cruelty to Animals:—

কয়েকদিন পূর্ব্বে আমরা আমাদের সম্পাদকীয় প্রবন্ধে C. S. P. C. A র কার্য্যকলাপের সমালোচনা করিয়া কর্ত্তৃপক্ষের দৃষ্টি আকর্ষণ করিয়া ছিলাম। উক্ত সমিতির প্রাদেশিক অধিবেশনে সভাপতি মিঃ বার্ডার ঐ সকল সমালোচনার উল্লেখ করিয়া বলিয়াছিলেন যে বাংলা গভর্ণমেণ্ট সমিতিকে এপর্য্যন্ত যে সকল নির্দ্দেশ দিয়াছেন সমিতির কর্ত্তৃপক্ষ তাহা যথারূপে পালন করিয়া আসিয়াছেন। তবে যদি তাহারা Pearson Committeeর সুপারিশ মত কার্য্য করিয়া উঠিতে পারেন নাই তাহার কারণ বাংলার সরকার ঐ সকল সুপারিশ অনুমোদন করেন নাই। সকলেই জানেন Pearson Committee কতকগুলি প্রয়োজনীয় পরিবর্ত্তনের সুপারিশ করিয়াছিলেন। সমিতির কার্য্য সুচারুরূপে নির্ব্বাহ করিতে হইলে এ সকল সুপারিশের অনেকগুলি যে কার্য্যে পরিণত হওয়া বাঞ্ছনীয় সে সম্বন্ধে কাহারও দ্বিমত থাকা উচিত নহে। অথচ আশ্চর্য্যের বিষয় গভর্ণমেণ্ট এই সমিতির অত্যাবশ্যকীয় সংস্কারের দিকে আজও অবহিত হইতেছেন না। মিঃ বার্ডারের বিবৃতি হইতে স্পষ্টই বোঝা যায় যে C. S. P. C. A.র পরিচালনা সম্পর্কে, জনসাধারণের যে সকল অভিযোগ তাহার জন্য মুখ্যতঃ দায়ী বাংলার সরকার। বৎসরে ৮০ হাজার টাকা যখন গভর্ণমেণ্ট এই বাবদে খরচ করিতেছেন তখন তাঁহাদের পক্ষে এই উদাসীনতা সত্যই দুর্ব্বোধ্য।

There are other long letters in this file which I will hand over to the Hon'ble Chief Minister immediately

We started an agitation after the famous carters riot in the year 1930. I myself led a deputation to the then Home Member, Sir William Prentice. I also waited in deputation on Sir M. Moberly, the then Chief Secretary to the Government of Bengal. I also moved personally, when I was a member of the Bengal Legislative Council, Nawab Mahiuddin Faroqui, the then Minister of Agriculture. The funny thing is that from 1930 up to date nothing has been done. After a good deal of agitation, the Pearson Committee was formed by the Government of Bengal, and their report was circulated to the members of the old Legislative Council. In that report, the Pearson Committee recommended that "The administration of the Act should be taken up by Government to be worked either under a department of Government or as a branch of the Calcutta Police." Sir, I shall also read another sentence from that report, and that is: "The status and qualifications of the officer in immediate charge of the administration of the Act should be those of an officer of the Bengal Provincial Veterinary Service." The irony of fate is that the present Secretary

and Superintendent (Mrs. Stanley) has neither any academic qualification, nor has she any veterinary qualification or experience. Her only qualification is that she was for some time a nurse in a London Hospital. You will be surprised to hear that she is drawing a salary of Rs. 1,000 a month, while the Bengal Veterinary Service people are getting less than Rs. 500 a month. You will also be surprised to hear that before she became Secretary and Superintendent there were six Inspectors of which four were Muhammadans. Now out of eight Veterinary officers only one is a Muhammadan. Out of 70 officers only 16 are Muhammadans. Formerly the strength of Muhammadan officers was 50 per cent. The funny thing is that under the régimé of Mrs. Stanley the number of Muhammadan employees including Inspectors has been decreased from 10 to 20 per cent.

Mr. SASANKA SEKHAR SANYAL: A crusade against Islam!

Mr. SYED JALALUDDIN HASHEMY: The late Rai Bahadur N. N. Banerji, Public Prosecutor, 24-Parganas, as one of the seniormost members of the Society, observed in a note submitted to the Pearson Committee, this is very significant, viz.—"That she wants to have her own way in every matter and is impatient on any disagreement with her views. Most of the members of the Executive Committee are busy men, and they generally attend meetings as a routine work to sanction the proposals of the Secretary. Practically the Secretary runs the show, and any member who disagrees with her on any question of principle and procedure stands the risk of being replaced by one who is likely to support all her proposals The Society by their action in refusing to enlist Justice C. C. Biswas, Professor J. L. Banerjee, ex-M.L.C., Sir Hari Sankar Paul, Mr. M. Daud, Barister-at-Law, Dr. N. N. Sen, D.SC., F.R.S., and several other respectable and well-known citizens of Calcutta as members, has forfeited the sympathy of the Indian public at Calcutta and the adoption of new rules, superseding old ones, destroying the public nature of the Society is a most retrograde step that does not make peace and harmony. . .... "

(At this stage the red light was lit, and the House was adjourned for 20 minutes.)

(After adjournment.)

Mr. SYED JALALUDDIN HASHEMY: Mr. Chairman, I did not finish when the House was adjourned.

Mr. CHAIRMAN (Mr. Sarat Chandra Bose): But your time was up. However, you try to finish it in a minute.

Mr. SYED JALALUDDIN HASHEMY: In this connection, Sir, I would appeal to the Hon'ble the Chief Minister, even though he may not listen to me at all, to listen to the members of his own party. I would ask him, if he keeps a ready reply, to tell us for what special reason Mr. Periera, an Anglo-Indian, has been appointed as Inspector on Rs. 100 per month. I would also ask him to reply why in place of one male clerk who has rendered 20 years of service three highly-paid female clerks have been appointed by Mrs. Stanley? Sir, I would request the Hon'ble Minister to do away with the services of this highly-paid lady Secretary of the Society and appoint instead one man with experience and veterinary qualifications or an I.M.S. retired officer on a salary of Rs. 200 or Rs. 300 per month. That will solve the problems of the Calcutta Society for the Prevention of Cruelty to Animals.

In conclusion, I would appeal to him to judge the whole matter impartially and suspend the amount of Rs. 91,000 allotted this year for the Calcutta Society for the Prevention of Cruelty to Animals.

Mr. SASANKA SEKHAR SANYAL: Sir, I beg to support the cut motion moved by my honourable friend Mr. Syed Jalaluddin Hashemy.

Sir, the question of the administration of the Calcutta Society for the Prevention of Cruelty to Animals has been an intriguing question for more than ten years. The position to-day is very unfortunate that although the House is called upon to make an annual grant of 81,000 rupees to the said Society and a representative in the name of the House is nominated by the Government, it is a tragedy that neither the Government nor this House has got any control over the administration of the said Society. Sir, it is a matter of recent history that in the year 1930 a serious riot took place among the carters and this led to the appointment of what is now known as the Pearson Enquiry Committee. The committee consisted of very influential and respectable men of Calcutta and was presided over by Mr. Justice Pearson. The committee came to very important conclusions and gave advice in a very pointed manner. The centre of the trouble of that riot was the lady Superintendent who is also even now the Secretary and Superintendent of the Society. Sir, she has been drawing Rs. 1,000 per month, *i.e.*, Rs. 12,000 per year, and her only qualification is that although she has neither any veterinary training nor experience in that department, she was a nurse in a London hospital. I do not know, Sir, whether she qualified for Veterinary by administering to the patients in a London hospital, but anyway, her qualifications, according to our conception of the Veterinary Department, are absolutely nil, and although it

is a painful fact that she was the centre of the riot, still her employment remains where it was. We know, Sir, that the committee is independent and probably as autonomous as the Hon'ble High Court, and we are not in a position to dictate the discretion in the appointment of a person, but since we are called upon to make substantial annual contribution to the Society we expect to have a say in the matter. It is refreshing to know that certain members of the Coalition Party, Mr. Abul Hosain and others, took up this question in the previous year and impressed upon the Government about the necessity and advisability of having some control even if it was an advisory control over the administration of the Society. Sir, you will be surprised to hear that the Veterinary Union and the Veterinary Committee consisting of Provincial service-holders have made a definite recommendation to the Government that if instead of 12,000 rupees that is given to the lady Superintendent only 5,000 rupees is set apart, one qualified under the Provincial Veterinary Service would be available. They made a direct offer and although the Government have not yet turned down the offer, we do not know what the Government has done in the course of the last four years. Sir, you know that, that lady Superintendent not being responsible to us nor to the Government nor to any non-official committee, has got her own way of doing things in a very peculiar way. For example, my friend has made it clear that a large number of the Veterinary assistants were Muslims. They were eligible for promotion in the department, but their claims were superseded by certain other persons, some of whom are Anglo-Indians, and it is a tragedy that persons who, according to the Veterinary standard, are qualified only as street agents or otherwise called constables have been elevated to the rank of Inspectors on Rs. 100 per month, although admittedly more qualified persons still hanging on the cadre are not getting more than Rs. 70 or Rs. 75 a month. This is not only unfortunate but it is sheer injustice, and I want to know from Government as to what they propose to do in the matter of having control on the administration of the Society. Either Government should set up a committee consisting of members of this House or Government should see to the constitution of a non-official committee. I have no charm either for an official committee or for any other committee. Let there be a committee either of the representatives of the public picked up from the Legislature or let there be a committee consisting of persons who have got a public position in Society. If these eminent persons form a committee, they ought to be vested with the powers, if not of internal control of the administration, at least in the matter of giving advice, so that the policy of the Society may be directed according to well-known standards. It is preposterous, you will be surprised to know, that there is no service rule even. The unqualified lady

gets Rs. 1,000, but a really qualified Veterinary provincial service-holder cannot have any access to that post, as if it is a post which attaches only to that person and to none else. Sir, on account of the fact that the Society is not registered, there are no fixed rules. That lady has her own way of dispensing with the services of people who have got a protesting voice, and those persons who are still in the service are hanging upon the precarious mercy of that lady. There must be a clear formation of the policy of Government; there must be a committee to advise the Society; there must be service rules, so that the Society may proceed according to known rules and persons who are actually qualified and in the provincial cadre should be given a chance. To-day that lady who is nearing 70 according to my information is still going strong. (A voice from the Opposition benches: She is 65.) Sir, I hear that she is 65. Well, Sir, that lady of 65 is dismissing other persons in the Society on grounds of superannuation, although the age of those incumbents is not more than 52. A lady of 65 is sacking persons on grounds of superannuation—persons who are at least 10 years younger than herself. (Laughter.) This is possible because Government or public opinion has no control or voice over the Society, and what is worse the Government is going on contributing as matter of routine work as in the past, but the valuable recommendations of the Pearson Committee are not being considered, far less given effect to. I call upon the Government to explain the position before the House, and I shall be grateful if the Hon'ble Chief Minister gives an assurance that this sort of stalemate in the relations between Government and the Society should be cured and that the Society should be broadbased upon solid foundations of known rules of conduct, service, administration and so on.

With these words, Sir, I support the motion of Mr. Hashemy.

Mr. ABUL HOSAIN AHMED: Mr. Speaker, Sir গত ২৮শে March এ সম্বন্ধে বিস্তারিতভাবে discussion কোরেছি। এবং সেই speechএর উপর basis কোরে Coalition Partyর তরফ থেকে একটি memorial Home Ministerএর কাছে পাঠান হোয়েছে। এবং তার একখানি copy Chief Ministerএর কাছে পাঠান হোয়েছে। কিন্তু নাজিমুদ্দিন সাহেব কিছুই করেন নি। তাঁর সঙ্গে আমার দেখা হোয়েছিল। তিনি বোললেন Pearson Committe's Report unanimous হয় নাই। Justice Mr. Pearson নিজেই Note of dissent দিয়েছিলেন।

বাস্তবিক এটা dissent নয়। Societyকে recommendation গুলি কার্য্যে পরিণত করার সময় দিবার জন্য সুপারিশ করিয়াছিলেন যথা—

We are of opinion that before any such action is taken Government should give the Society an opportunity to reconsider their attitude in the matter and to introduce the changes in the constitution proposed by us.

১৯৩৩ সালের এপ্রিলএ এই Report submit হোয়েছিল। ৮ বৎসর চোলে গেছে, কিছুই করা হয় নাই। এখন C. S. P. C. A.র Lady Superintendentকে যাতে আর extension না দেওয়া হয় সে সম্বন্ধে আমার friend অনেক কথা বোলেছেন। আমরা press কোর্ব্ব গভর্ণমেণ্টকে যাতে এই Ladyকে আর extension না দেওয়া হয়। তা হলে ১ বৎসরের মধ্যে Pearson Committeeর সমগ্র recommendation কার্য্যে পরিণত হইতে পারিবে। গভর্ণমেণ্ট এই Societyকে বার্ষিক ৮১ হাজার টাকা grant দেন এবং জনসাধারণের কাছ থেকে আরও ৫ হাজার টাকা আদায় হয়। এই Societyর যে Executive Committee আছে তার 80 per cent. member European ও চাকুরিয়া। আমার মতে এই Executive Committeeর membership population basisএ হওয়া উচিৎ। অর্থাৎ Hindu, Muslim এবং Christian member percentage basisএ নেওয়া হউক। Pearson Committeeর recommendation ছিল যে Executive Committeeতে অন্তত: পক্ষে carter এবং চৌধুরিদের একজন প্রতিনিধি থাকা indispensable চৌধুরি বোলতে carterদের মালিক বোঝায়। আমি আর বিশেষ কিছু বোলতে চাইনা। কারণ আমার বন্ধু হাসেমী ও সান্যাল অনেক বলেছেন।

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I have listened with some amount of interest to this debate because I feel that such an important public institution as the Society for the Prevention of Cruelty to Animals should not be the subject of suspicions on the minds of leaders of Indian public opinion in the matter of administration of the affairs of this Society. I agree that an institution of this kind should be run not merely on entirely democratic lines but also in consonance with public opinion.

Let us remember, Sir, that this Society which was founded in the year 1861 and has been functioning for nearly 80 years has had on the whole a record of good work to its credit. It is certain that there is room for criticism and a good deal of adverse criticism, but it cannot be denied that on the whole the work that has been done is satisfactory and when it was established 80 years ago it happened to be the only institution of its kind outside the British Isles. It has set a standard of humanitarian concern for the dumb creatures which was practically non-existent before. It instilled in the minds of the public the duty of seeing that these dumb creatures are not subjected to cruelty of any kind, and I think I can fairly contend that the work of the Society for the Prevention of Cruelty to Animals has, on the whole, increased to a large extent the interest of the general public in humanitarian work for dumb creatures.

Now, Sir, as regards the charges themselves, I may mention that the Government grant of Rs. 80,000 is spent on the pay of officers

and on the uniforms only. The other expenses are met from subscriptions, and it is interesting to note, going through the list of subscribers, that those who are loudest in criticisms have contributed the least to the funds of this institution. One way of showing appreciation of work or interest in the work is by coming forward to help that work with monetary aid, especially when we remember that Government contribute only a part of the expenses and leave it to the impulse of private charity to supplement the finances of the institution in furtherance of its work.

Sir, regarding the representation of my friend Mr. Abul Hossain Ahmed, I can only say that I not only forwarded that representation to Sir Nazimuddin, but requested him to go fully into the details, and I had an assurance that he would look into the matter and make it known to the members of the Coalition Party and, if necessary, to the House. I am not aware if any action has been taken because officially I had nothing to do with this department. But I find that Sir Nazimuddin did acquaint himself with the state of affairs, and so far as I can see from the papers he felt satisfied that although things might not be as satisfactory as the critics wanted, no case was made out for Government interference in this matter. May I now point out to this House that it is always a very sound principle and very good policy not to encourage Government interference in the administrative affairs of institutions which by their nature are autonomous in character? This Society for the Prevention of Cruelty to Animals is practically controlled by a number of persons who give their honorary work to the welfare of the Society. If on top of all this they find themselves subjected not merely to undue criticisms, but undue interference by Government, I am afraid that all incentive of rendering honorary work will come to an end. I commend to the consideration of the House the composition of the committee which has been functioning for the administration of the Act. The committee consists of nominees of Government who are the Chief Presidency Magistrate, Director, Civil Veterinary Department, the Commissioner of Police, Chief Executive Officer of the Calcutta Corporation, Mr. Syed Badrudduja, M.L.A., Rai Bahadur Radhika Bhusan Roy, M.L.C., Dr. S. C. Law, and others. I submit that this committee is fairly representative and consists of gentlemen who are well known for their public spirit, and for their philanthropic activities. The proper course for members of the public would probably be to acquaint this committee with any instances of maladministration or of any kind of departure from the rules, who have always guided the activities of the Society. If the committee which has been set up for the administration of the affairs of this institution fail to do their work, it would be time for honourable members of this House and also for

members of the public to approach the Minister in charge for redress or for looking into the grievances. It will serve no useful purpose once a year to raise discussion by a cut motion and ask Government to take action which it is impossible to take because of the scarcity of material at our disposal. What we propose to do is this. We will forward a copy of this discussion to the committee, and we would like to have their report and their notes on the points that have been raised. I can give this House an assurance that when Sir Nazimuddin returns to his duty, I shall make it a point to ask him especially to look into the grievances and see how far they are well founded and can be redressed.

As regards the question of appointment of Muslims which has been incidentally raised, I may tell the House that previously qualified Muslims were not forthcoming. Now that they are forthcoming, they are being gradually taken into the service. Two Muslim officers held fairly high posts, but they had to be dismissed for malpractices and they will be replaced by suitable Muslim candidates as soon as they are found. The question of Muslim appointments cannot be dealt with separately or in a detached manner from the other requirements of the institution, and as far as I can see efforts are being made by the Society to appoint qualified Muhammadans and to meet the demand of the public in this respect.

Mr. SASANKA SEKHAR SANYAL: What about qualified non-Muhammadans?

The Hon'ble Mr. A. K. FAZLUL HUQ: So far as the question of appointments is concerned, all I can say is that the committee which is of a fairly representative character must be expected to take into account the requirements of all the communities, and there is no reason to suspect that they will be negligent of the claims of any community. I do not think that in a matter like this I need take up the time of the House by entering into details. I admit that there is a strong feeling in the public, and I have heard myself of complaints that the affairs of the institution need a little looking into. The position of this institution is not prefect. No human institution can claim to be perfect. There must be defects. But as I have said, all we can do and what we propose to do is to let the committee which has been set up for looking after this institution see what the complaints are and when these debates are forwarded to them, I hope they will take immdiate steps for meeting the demands of the public for improvement. If the committee do not do their duty in this respect, it will be open to my friends here to bring the matter to the notice of the Hon'ble Minister who is permanently in charge of this department and who can be expected

to look into these affairs and who, I hope, will do his best to meet the public demand in this matter. I for myself would wish to pay my tribute to the good work that has been done, and I hope that in the course of time my friends will also be satisfied that what little ground that may remain for criticism will disappear and that this institution will receive public support and sympathy in various ways so as to enable it to perform the humanitarian work which is its programme and which it has been performing so successfully for the last 80 years.

The motion of Mr. Syed Jalaluddin Hashemy that the demand of Rs 7,19,000 for expenditure under the head "41—Veterinary" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—31.

Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chaudhuri, Rai Harendra Nath.
Das Gupta, Babu Khagendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Giasuddin Ahmed, Mr.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kundu, Mr. Nishitha Nath.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Nasker, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Roy, Mr. Charu Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Sasanka Sekhar.
Shahedali, Mr.
Singha, Babu Kshetra Nath.
Waliur Rahman, Maulvi.

NOES—92.

Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S.
Abdul Motaleb Malik, Dr.
Abdur Rauf, Khan Bahadur Shah.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Affazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Basu, Mr. Jatindra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Heywood, Mr. Rogers.
Idris Ahmed Mia, Maulvi.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Saheb Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.

Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudaury, Maulvi.
Maguire, Mr. L. T.
Mandal Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Mukunda Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustawawsal Haque, Mr. Syed.
Norton, Mr. H. R.
Paul, Sir Hari Sanker.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, Mr. Dhananjoy.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Saifruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sasseen, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Stark, Mr. A. F.
Speller, Mr. J. H.
Sinclair, Mr. J. F.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brahant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yousuf Mirza.

The Ayes being 31 and the Noes 92, the motion was lost.

Mr. PUSPAJIT BARMA: Sir, I beg to move that the demand of Rs. 7,19,000 for expenditure under the head "41—Veterinary" be reduced by Rs. 100. The purpose of my motion is to raise a discussion on the negligence to help the cultivators in treating their cattle and in opening charitable veterinary dispensary in each thana.

Sir, it is useless to say much about the Veterinary Department. It is really a matter of great regret that the Government is doing absolutely nothing to prevent cattle disease in this province. When cattle epidemic breaks out, it brings panic and terror in the minds of the villagers, not only of the village where it actually breaks out, but in the minds of the inhabitants of the neighbouring villages too. The people of the affected villages of course try their best to prevent cattle diseases and cattle epidemic by taking preventive measures by themselves, but they fail to stop the disease Cattle epidemic spreads from one village to another. The villagers appeal to the District Veterinary Officers for their help, but to no avail; and as a result thousands and thousands of cattle die. The villagers have nothing to do, but to heave a deep sigh of sorrow. Nowadays whenever we speak, we speak for the man behind the plough, but we never care for the dumb creatures before the plough. Whenever the Government want to do anything they want to do it for the man behind the plough, but they do not care to do anything for the dumb creature before the plough. But may I ask the Government, whether it is not their duty, when doing good to the man behind the plough, to do something for the benefit of the dumb creatures before the plough as well? But alas, Sir, the Government is quite indifferent to the matter. Not to speak of the general improvement of the cattle

as a whole, they are indifferent and reluctant even to prevent or stop the cattle diseases of Bengal which generally appear twice in a year in this province. If the Government cannot prevent cattle diseases and protect the cattle, how can they think of improving the condition of the cultivators of this province? Cultivators entirely depend for their cultivation on the bullock, and if the bullock dies every year, then the work of cultivation will certainly seriously suffer, and the cultivators of the province will certainly be put into greatest misery. The wealth producing capacity of the cultivators of the province as a whole would certainly diminish. All the good measures that have been taken by the Government will come to no effect. Want of good drinking water and pasture grounds may be advanced as the causes of the cattle diseases and cattle epidemics in this province. These are also the causes of the general decrease in the number of cattle and the inferior quality of cattle in the province. If Government do not make any arrangement for pasture grounds, then the improvement of the cattle of the province is impossible. Sir, the Government have budgeted several lakhs of rupees for the Veterinary Department, but almost the entire amount has been allotted for the establishment cost of the department and very little has been allotted for the treatment of the cattle of the province. Now, Sir, the time has come when the Government must give up their policy of maintaining the department only for show and must give some real relief to the cattle, for which the department has been maintained.

In this connection, Sir, I would like to suggest that the Government must start to establish charitable veterinary dispensaries with hospitals attached to them in every thana of the province and, secondly, Sir, Government must distribute free medicines and give free treatment to the cattle in the rural areas and, thirdly, Government must appoint additional veterinary doctors in times of cattle epidemics, so that at the time of the epidemic medical relief may be readily available. I am sure, Sir, that if the Government take up the policy of giving free medicine, free doctors and free dispensaries within the easy reach of the rural people for the treatment of their cattle, then cattle diseases and cattle epidemics will certainly be checked.

With these few words, Sir, I commend my motion to the acceptance of the House.

Mr. MAQBUL HOSAIN: Sir, I beg to move——

Mr. CHAIRMAN (Mr. Sarat Chandra Bose): Order, order, Mr. Maqbul Hosain. I was under the impression that you were supporting Mr. Puspajit Barma's motion and that you would not be moving your own motion.

Mr. SASANKA SEKHAR SANYAL: Sir, it amounts to the same thing. We shall not vote separately.

Mr. CHAIRMAN (Mr. Sarat Chandra Bose): I find from Mr. Speaker's notes that motions Nos. 28 to 32 have been crossed out. Apparently it was suggested to him that these motions would not be moved and there would be speeches only on Mr. Puspajit Barma's motion.

Mr. SASANKA SEKHAR SANYAL: But it amounts to the same thing, Sir.

Mr. CHAIRMAN (Mr. Sarat Chandra Bose): Yes. I would, therefore, suggest to Mr Maqbul Hosain that he should speak in support of Mr. Puspajit Barma's motion instead of moving his own motion.

Mr. MAQBUL HOSAIN : মাননীয় সভাপতি মহাশয়, আমার বন্ধু মিঃ পুষ্পজিৎ বর্ম্মা প্রতি থানায় একটি করিয়া পশু চিকিৎসালয় স্থাপন করার জন্য যে প্রস্তাব এই Houseএর সামনে উত্থাপন কোরেছেন তার সমর্থনে আমি দু একটি কথা বোলতে চাই। আমরা জানি বাংলাদেশের গো-চিকিৎসার কত অভাব, কেমন করে কৃষকগণ সর্ব্বস্বান্ত হোচ্চে গো-মড়কের দ্বারা, এবং গরু কৃষকের তথা সর্ব্বসাধারণের কত উপকারে আসে। বাংলাদেশে যে সমস্ত পশু আছে তন্মধ্যে গরু জনসাধারণের ও দেশবাসী সকলের নিত্য প্রয়োজনীয়। গরুর সাহায্য ব্যতীত আমরা একদিনও চলিতে পারি না। কৃষিজাত ফসল উৎপন্ন হয় গরুর শ্রমের দ্বারা। স্মরণাতীত কাল হইতে গরু দ্বারা হল চালনা কার্য্য চলিয়া আসিতেছে। ইউরোপীয় দেশ সমূহে কলের যন্ত্রপাতীর দ্বারা চাষাবাদের ব্যবস্থা থাকিলেও বাংলায় ইহার কোন ব্যবস্থা করা হয় নাই। সুতরাং আমাদের কৃষিকার্য্যের জন্য গরুর উপর নির্ভর কোরতে হয়। এতদ্ব্যতীত দুধ, ঘী, মাখন প্রভৃতি উপাদেয় ও শরীর পুষ্টিকর খাদ্য আমরা প্রাপ্ত হই গরুর নিকট হইতে। এমন যে উপকারী গরু তার প্রতি গভর্ণমেণ্ট একেবারে উদাসীন। মানুষের চিকিৎসার ব্যবস্থা আছে, কিন্তু গরুর চিকিৎসার কোনই সুব্যবস্থা নাই। শত শত টাকা খরচ কোরলেও মফঃস্বলে গরুর চিকিৎসা করার সুযোগ পাওয়া যায় না। প্রত্যহ শত শত গরু মারা যাচ্চে। গৃহস্থ সর্ব্বস্বান্ত হইতেছে কিন্তু চিকিৎসার অভাবে হা-হুতাশ ছাড়া অন্য কোন প্রতিকারের চেষ্টা করা তাদের সাধ্যের অতীত। গো-মড়ককে কৃষক যেরূপ ভয় করে এবং তদ্বারা তারা যত বিব্রত হয় অন্য কোন বিপদে তারা এমন বিব্রত ও সন্ত্রাকুল হয় না। সরকারী পশু চিকিৎসা বিভাগের দ্বারা জনসাধারণের কোন উপকার হয় না। গো-মড়কের সময় যদি তাদের সংবাদ দেওয়া হয় তারা আসতে আসতে যেখানে মড়ক আরম্ভ হয়, সেখানকার গরু মরিয়া উজাড় হইয়া যায়। মড়কের সময় আসিলেও রোগের ঔষধের অভাবে তারা চিকিৎসা কোরতে পারেনা। গভর্ণমেণ্টের

যদি সদিচ্ছা থাকে, যদি সত্য সত্যই কৃষককে বাঁচাইয়া রাখার প্রবৃত্তি গভর্ণমেণ্টের জাগরিত হইয়া থাকে তবে এই বিভাগের জন্য আরও অধিক সংখ্যক টাকা বরাদ্দ করুন এবং যাতে পশু চিকিৎসা কার্য্য সুচারুরূপে সম্পন্ন হয় তজ্জন্য অন্ততঃপক্ষে প্রতি থানায় এক জন করিয়া পশু চিকিৎসক নিযুক্ত করুন।

বাংলাদেশে গো-জাতীর উন্নতির জন্য গভর্ণমেণ্ট হইতে পাঞ্জাবী ষাঁড়ের আমদানী করা হোয়েছে। ইহাতে বাংলার রাজস্বের এক বিপুল অংশের অপব্যয় করা হইতেছে গো-মহিষাদির জন্য যে সমস্ত জমি পতিত ছিল তাহা কতক বৎসরের মধ্যে আবাদ হইয়া যাওয়ায় ঐ সমস্ত পশুর খাদ্যের অভাব হইয়াছে। বাংলায় এখন যে সমস্ত অনাবাদী স্থান আছে তাহাতেও যদি বৈজ্ঞানিক প্রণালীতে ঘাস জন্মান যায় তাহা হইলেও গো-জাতির রক্ষার কতক ব্যবস্থা হইতে পারে। কিন্তু গভর্ণমেণ্ট এদিকে দৃষ্টি নিবদ্ধ না রাখিয়া, কেবল কতকগুলি কর্ম্মচারী নিয়োগের দিকে রহিয়াছেন। গভর্ণমেণ্ট যদি গৃহপালিত পশুকে রক্ষা করিতে চান, যদি তাঁদের ইচ্ছা থাকে কৃষকের অবস্থার উন্নতি করিতে তবে তাঁদের পক্ষে অবশ্য কর্ত্তব্য হবে পূর্ব্বের অনাবাদী জমি আইন করিয়া পতিত রাখা এবং যে সমস্ত পতিত স্থানের ঘাস নষ্ট হোয়ে গিয়েছে বৈজ্ঞানিক উপায়ে ঐ সমস্ত স্থানে ঘাস জন্মানোর ব্যবস্থা করা। এই ভাবে কার্য্য করিলে এদেশের গরুর উন্নতি হইবে। অন্য দেশ হইতে গরু আমদানীর জন্য টাকা নষ্ট করার প্রয়োজন হবে না।

এখন আমি Houseএর সমস্ত সদস্য মহোদয়গণকে একথা জানাইতেছি যে যদি আপনারা বাংলার কৃষক প্রজার প্রকৃত উন্নতি চান, যদি আপনারা তাহাদিগকে বাঁচাইয়া দেশ ও সমাজকে রক্ষা করিতে চান তাহা হইলে মিঃ বর্ম্মার প্রস্তাব গ্রহণ করুন এবং তাহা হইলে আপনারা শীঘ্রই দেখতে পাবেন যে বাংলার কৃষকের অবস্থার উন্নতি হোয়েছে ও দেশের সুখ সমৃদ্ধি বেড়ে উঠেছে।

Mr. CHARU CHANDRA ROY : Mr. Speaker, Sir, আমি আমার বন্ধু শ্রীপুষ্পজিৎ বর্ম্মার motion সমর্থন করিতেছি। আজ বছরের পর বছর পশু চিকিৎসা সম্বন্ধে এই Houseএ আলোচনা হোচ্ছে। এই বাংলাদেশে মানুষও প্রায় পশু শ্রেণীতে পরিণত হোয়েছে, কারণ তাদের জন্যও চিকিৎসার সুব্যবস্থা নাই। বহুদিন থেকে প্রস্তাব হোয়ে আসছে যে অন্ততঃপক্ষে প্রত্যেক থানায় একজন কোরে veterinary surgeon রাখার ব্যবস্থা হউক যার তত্ত্বাবধানে কৃষকেরা তাদের গো-মহিষাদির চিকিৎসার ব্যবস্থা কোর্ত্তে পারে। সাবেক ব্যবস্থা উঠে যাওয়ায় যে দুরবস্থা হয়েছে তা আপনাদের কাছে নিবেদন করি—পূর্ব্বে district boardএর underএ প্রত্যেক মহকুমায় একটি কোরে পশু চিকিৎসালয় ছিল। কিন্তু ১৯৩৯ সন হইতে সেই scheme ভাগাভাগি হোয়েছে। একটি হোল district boardএর scheme আর একটি হোল provincial scheme তার ফলে এই দাঁড়িয়েছে যে কতকগুলি মহকুমায় পশু চিকিৎসালয় একেবারেই নেই। Provincial scheme অনুসারে হয়ত officer সেখানে আছেন, কিন্তু পশু চিকিৎসার কোন ব্যবস্থা সেখানে নেই। পশুদের যখন মড়ক লাগে তখন সেই officer চিকিৎসার জন্য তৎপর হন কিন্তু তার পূর্ব্বে ও পরে তাহার

কিছুই করিবার নাই। সাধারণ ঔষধ পত্র দিয়া সর্ব্বদা কৃষকদিগকে সাহায্য করা নাকি তাহার কর্ত্তব্য নয়। তার চিকিৎসার নমুনা এই। এই সব পীড়িত পশুদের রক্ত নিয়ে কলিকাতায় পাঠান হয়। সেখান থেকে ঔষধ তৈয়ারী হোয়ে আসতে আসতে যারা মরবার তারা মরে যায়, আর যারা বাঁচবার তারা বেঁচে যায়। এর সোজা দৃষ্টান্ত ময়মনসিংহ জেলায় পাওয়া যায়। সেখানে ৫টি মহকুমা আছে—টাঙ্গাইল, নেত্রকোনা, কিশোরগঞ্জ, জামালপুর এবং সদর। টাঙ্গাইল, জামালপুর এবং সদরে পুরান scheme অনুসারে কাজ চোলছে। কিন্তু নেত্রকোনা এবং কিশোরগঞ্জ মহকুমায় Provincial scheme অনুসারে veterinary surgeon নিযুক্ত আছেন। কিন্তু চিকিৎসার ব্যবস্থা নেই। সুতরাং এই ব্যবস্থানুসারে ঐ দুই মহকুমা পশু চিকিৎসা থেকে বঞ্চিত হোয়েছে। কৃষক-দরদী মন্ত্রীমণ্ডলী বহুদিন থেকে বোলে এসেছেন তাঁরা পশু চিকিৎসা সম্বন্ধে কিছু কোরবেন কিন্তু আমরা দেখেছি টাঙ্গাইল মহকুমা যাহা নাকি পাবনা জেলার সমান সেখানে মাত্র একজন veterinary surgeon এই সব যায়গায় ৫০ মাইলের মধ্যে আর একজন veterinary surgeon খুঁজে পাওয়া যায় না। বৎসরের পর বৎসর মড়কের জন্য কৃষকদের সর্ব্বনাশ হোয়ে যাচ্ছে। এ বৎসর, এ বৎসর কেন প্রতি বৎসরই, গো-মড়কে কৃষক সর্ব্বস্বান্ত হ'য়ে যাচ্ছে। টাঙ্গাইলে এবার গো-মড়কে বহু কৃষক সর্ব্বস্বান্ত হ'য়েছে। অথচ তাহারা এই বিভাগ হইতে কোনরূপ সাহায্যই পায় নাই। জানিনা এই সব Report গভর্ণমেণ্টের কাছে আসে কিনা, কিন্তু কৃষি বিভাগ এ সম্বন্ধে সম্পূর্ণ উদাসীন (callous)। এই বৎসর কৃষি বিভাগের যে Report পেয়েছি তাতে live-stock সম্বন্ধে খুব বড় ফর্দ্দ দেওয়া হোয়েছে এবং তার মধ্যে আছে stud bull গুলির অতিরিক্ত প্রশংসা। এতে আছে stud bull গুলির স্বাস্থ্য সম্বন্ধে নানা তথ্য ইত্যাদি। আমি জানিনা এই সব stud bull গুলির দ্বারা আমাদের দেশের গো-কুলের কোন উপকার হোচ্ছে কিনা। আমাদের কৃষি বিভাগের মাননীয় মন্ত্রী সাহেবের মফঃস্বলে বাড়ী। তিনি কৃষক প্রজা পার্টির লোক ছিলেন এবং এখনও আপনাকে প্রজাদরদী ব'লে জাহির কর্ত্তে চান। আমরা আশা কোরেছিলাম তিনি কৃষকদের স্বার্থের প্রতি লক্ষ্য রাখবেন এবং তাদের প্রতি সহানুভূতি সম্পন্ন হবেন। কিন্তু যথা পূর্ব্বং তথা পরং এই যে Bureaucratic Governmentএর কায়দা, এই যে Red Tapism, এর মধ্যে মন্ত্রীদের কিছু স্বাধীন ক্ষমতা আছে কিনা জানিনা।

মাননীয় Speaker সাহেব, আমি আপনার মারফতে আমার বন্ধুদের জানাতে চাই যে আমাদের দেশে মানুষের চিকিৎসারই সুবন্দোবস্ত নাই গরুর চিকিৎসা ত দূরের কথা। বর্ত্তমান গভর্ণমেণ্টের কাছে গরু এবং মানুষের চিকিৎসা সমান। কৃষককুল যদি বেঁচে না থাকে, কৃষির উৎপন্ন দ্রব্য সামগ্রী যদি দেশে না আসে তবে দেশ বাঁচতে পারে না। আজ কৃষকের জন্য যখন মন্ত্রীমণ্ডলী কুম্ভিরাশ্রু বর্ষণ করেন তখন তাঁরা ভুলে যান গো-কুলের কি সর্ব্বনাশ হোচ্ছে। তাই আমি আজ মাননীয় কৃষি মন্ত্রী সাহেবের নিকট, Mr. Speaker, আপনার মারফতে বোলতে চাই, তিনি যখন কৃষি বিভাগের সমস্ত অবস্থা অবগত আছেন, তখন বোলছি, কৃষকদের মঙ্গলের জন্য তিনি যেন প্রত্যেক থানায় থানায় পশু চিকিৎসালয় স্থাপন কোরে কৃষকদের অবস্থার উনতির ব্যবস্থা করেন।

Mr. SASANKA SEKHAR SANYAL: Sir, before the Hon'ble Minister replies to these questions, I will just offer one humble suggestion, and I hope he will consider that also. Sir, the question of cattle disease and cattle morfality has been agitating the public mind for a long time and much has been said on the floor of this House on the question of preventive and curative side. But there is another matter which deserves equally careful consideration, namely, the scheme for cattle insurance. You know, Sir, that cattle is one of the most precious properties of the agriculturists, probably even next to the land itself. So, there cannot be any long and enduring uplift of the masses of Bengal unless we get at least two-fold insurance scheme. The other day in connection with the agricultural budget, I gave an indication of crop insurance and the question of crop insurance is not novel, because it has been taken up in other places outside India. Sir, the rent which is paid by the tenant has been considered particularly by eminent economists as a premium put upon the land, and if crop fails the State should come out with a bounty in some proportion to the extent of the damage caused and that is a different matter which I cannot discuss now.

So far as the question of cattle mortality is concerned, an insurance scheme has been overdue You know, Sir, that when cattle begin to die they die in very large numbers in particular villages and groups of villages When cattle die, the peasantry become destitute of even the last vestige of the poor wealth they possess. Therefore, we must come out with some scheme in that direction The question of premium is certainly there and that has got to be answered I do not expect that the Ministry will look up to the tenants themselves to furnish the premium which they cannot, and I would suggest that a portion of the union board rates realised should be set apart as a sort of sinking fund for the purpose of premium in the particular union itself. Statistics have got to be taken of each union board and the number of cattle will have to be taken into account. On the basis of the numerical strength and the statistics of the last ten years' death rate, we can come to a definite figure by which we can set apart a certain portion of the union board rate for the purpose of furnishing the premium. Sir, since the Government are fast developing the Rural Reconstruction Department and the Government are also looking forward to getting larger and larger sums of money in the matter of the Rural Reconstruction Department, I hope that it will not be impossible even if it is difficult for the Government to proceed step by step to have a certain portion of the Rural Reconstruction Fund earmarked for the purpose of giving bounty to the tenant whose cattle die. Sir, this matter I admit is not a very well-talked, a very largely-talked matter, but still it is a very important question. I have consulted certain eminent authors in this connection and amongst the Indian authors Dr. Radha Kamal Mukherji of the Lucknow University. Sir, in connection with the National Planning

Committee in a meeting at Bombay about two years back he gave a vague suggestion as to the possibility of cattle insurance. Probably this is a matter in which we are thinking ahead of the time, but even then we are thinking of a matter which appertains to a very vital question relating to the uplift of the tenantry at large. I hope the Hon'ble Minister will respond to this question. I do not expect an offhand scheme, but I shall be glad to hear from him that this is a matter which he will consider and will place before the experts available to Government, and we should be very happy if he can come out with some scheme in the near future

The Hon'ble Mr. TAMIZUDDIN KHAN: Mr. Speaker, Sir, I do not claim that so far as the Veterinary Department is concerned Government has been able to do enough, but I certainly claim, Sir, that within the means at our disposal we have done our best. Most of the criticisms that have been levelled against the working of this department have been due to the fact that honourable members do not care to know what is being done by us. Mr. Puspajit Barma initiated this debate and in the course of his speech he made a statement to the effect that the people of this country try their best to prevent the spread of epidemic diseases, but ultimately they fail. Sir, I am surprised to hear a statement like that from a responsible member who lives in rural areas. Had our people been alive to their own interests, I think many of the ills they suffer from would have been cured long ago.

Now, Sir, under our present scheme by which the itinerant staff has been altogether provincialised, a somewhat satisfactory arrangement has been made to fight the epidemic diseases of animals. Formerly, the itinerant staff was under the control of district boards and Government jointly. Government used to contribute one-third of the pay and other allowances not only of the itinerant veterinary surgeons but also of the stationary staff. It was, however, found that when an epidemic broke out, it was very difficult to mobilise the doctors to fight the epidemic on account of that dual control. The Cattle Conference held in Delhi in the year 1937 dealt with this difficult question, and recommended that the Provincial Governments would be well advised to provincialise the entire itinerant staff and that they should take upon themselves the responsibility of fighting cattle epidemics, and the responsibility of treating ordinary diseases of cattle should be left on the shoulders of the local bodies. The Government of Bengal accepted that recommendation of the Cattle Conference, and I think other Provincial Governments also accepted it. Now, according to the decision that was taken by this Government in 1939, as many as 100 veterinary doctors who then formed the itinerant staff have been provincialised, and Government now bear the entire cost of these doctors. It was expected that the local bodies, namely, the district boards, should bear the entire burden of treating ordinary diseases of

animals. But, it was found that the district boards were not very enthusiastic in the matter and therefore Government made another concession, namely, that whenever a district board would establish a dispensary or a hospital Government would be glad to pay the ordinary contribution of one-third of the pay of the staff and certain other allowances up to the extent of one in each subdivision. In spite of our going so far as that, Sir, I find that there is still a complaint that in some of the subdivisions there are no dispensaries or hospitals for the treatment of animal diseases. Now, Sir, the district boards have been relieved of a good deal of the burden they formerly used to bear, and if in spite of that fact they are found to be so minded as to make a profit out of this, I think Government is helpless in the matter.

Mr. CHARU CHANDRA ROY: May I in that case ask the Hon'ble Minister to take steps to see that the district boards establish such dispensaries within their subdivisions?

Mr. SPEAKER: I think in that case you will perhaps complain that Government is interfering in the local affairs of the district boards.

The Hon'ble Mr. TAMIZUDDIN KHAN: You have yourself, Sir, given a fitting reply to the question asked by my honourable friend. My friend according to his own convenience may now say something here, but I am sure that if Government tries to impose any such thing on the local bodies, he will be the first person to come forward and say that Government is interfering with the freedom of these local bodies. However, Sir, I would repeat again that the local bodies would be well advised to establish at least one dispensary in each subdivision, and if they do so, they will get substantial help from Government in the shape of contributions towards the pay and allowances of the doctors who will be placed in charge of such dispensaries. One honourable member has complained about the want of such a dispensary in the Kishoreganj subdivision and also at other places. I do not know why such dispensaries have not been established by the district boards concerned. The district boards have been saving a lot of money as a result of the provincialisation of the itinerant staff. How can they in the face of that come up and say that Government is not doing their duty?

Then, Sir, Mr. Maqbul Hosain has said that there has been no proper control of the epidemic diseases on account of the fact that the itinerant staff invariably take a long time to come to the scene of an epidemic. I submit, Sir, that it is not the doctors who make such delay, but it is the negligence of our own people which is responsible for such a state of affairs. Our cultivators would never care to send timely information to the itinerant staff; and if my friends, Mr. Puspajit Barma and Mr. Maqbul Hosain, would induce the voters

with whose support they came to this Assembly to give information to the itinerant staff in time instead of wasting their breath as they have been doing on the floor of this House, they would be doing better service to their constituencies and to the poor cultivators in rural areas. (At this stage several honourable members belonging to the Opposition made certain remarks simultaneously from different places producing a noise in the Chamber.) Sir, I am really surprised to find that my honourable friends belonging to the Opposition say many things on the floor of the House, but whenever I rise to reply to them, they talk amongst themselves and make remarks simultaneously without caring to listen to me. In that case it is no use my making a speech.

I find that my friend, Mr. Charu Chandra Roy, has made certain remarks on our new scheme of provincialisation of the itinerant staff. Sir, that scheme has been repeatedly explained on the floor of this House, but my friend would not listen to that; he would only come forward and offer criticisms which are absolutely unwarranted——

Mr. CHARU CHANDRA ROY: But your lecture also would not benefit the poor cultivators.

The Hon'ble Mr. TAMIZUDDIN KHAN: But the itinerant doctors can, if timely information is given to them. Not only are the epidemic doctors there, not only do they come to the scene of epidemic diseases as soon as possible and do their best, but other epidemic doctors from neighbouring areas and sometimes from other districts are requisitioned to fight out the diseases and prevent their spread to other areas. That, Sir, was not possible under the previous arrangement.

Mr. SHAHEDALI: On a point of information, Sir. May I ask the Hon'ble Minister if he can give the dates of information and the actual arrival of doctors?

Mr. SPEAKER: Order, order. The Hon'ble Minister must not be interrupted in this way. He must be allowed to continue with his speech.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, my friend Mr. Sasanka Sekhar Sanyal who always tries to give constructive suggestions for which I am thankful to him has also tried to give one in connection with the present debate. He has said that Government should examine the possibility of a cattle insurance scheme. I have no objection to examine the practicability of a scheme like that. But the obvious criticism that would suggest itself to one is that in a country like ours, amongst cultivators, most of whom are illiterate, even insurance of human lives is not at all popular. How many cultivators insure their own lives or the lives of their children? Almost

none. It is not to be expected that under present circumstances these cultivators would think of paying premium by insuring their cattle. That is an absurd proposition. My friend therefore suggests that the premium should be paid by somebody else—say, some portion should be paid from the Union Board Fund and Government should contribute the rest. Has my friend even in a rough manner calculated in his own mind how much money will be necessary to launch upon a scheme like that? Therefore, Sir, although I have no objection whatsoever to examine the practicability of any scheme that is suggested on the floor of the House—I shall try to do so, so far as this scheme is concerned. I am afraid that, on the face of it, a scheme like this is doomed to failure under present circumstances in this country

Mr. SYED JALALUDDIN HASHEMY: What about stud bulls?

Mr. SPEAKER: I did not know that Mr. Hashemy was interested in stud bulls. (Laughter.) Anyway, I have to close the debate now.

The motion of Mr. Puspajit Barma that the demand of Rs. 7,19,000 for expenditure under the head "41—Veterinary" be reduced by Rs 100 was then put and lost.

The motion of the Hon'ble Mr. Tamizuddin Khan that a sum of Rs. 7,19,000 be granted for expenditure under the head "41—Veterinary" was then put and agreed to.

Adjournment.

The House was adjourned at 7-50 p.m. till 4-45 p.m on Friday, the 28th March, 1941, at the Assembly House, Calcutta

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 28th March, 1941, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 7 Hon'ble Ministers and 177 members.

STARRED QUESTION

(to which oral answer was given)

Excise Shop at Araidanga in Malda district.

***189A. Mr. ATUL CHANDRA KUMAR:** (*a*) Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state whether it is a fact—

(*i*) that the existing Excise shop at Araidanga in the district of Malda is within a radius of less than ¼th of a mile from Araidanga High School and Araidanga George Coronation *Tôl*;

(*ii*) that the attention of the Secretary, Excise Licensing Board, Malda, was drawn to the fact by the Secretary of Araidanga Dinanath-Bholanath Model Academy; and

(*iii*) that no step has been taken by the Excise Department to shift the shop from its present site?

(*b*) If the answer to (*a*) is in the affirmative is the Hon'ble Minister considering the desirability of shifting the shop to a place beyond ¼th of a mile from the said school and said *tôl*?

MINISTER in charge of the FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) (*i*) The George Coronation *Tôl* is at a distance of 285 yards to the east and the Araidanga High School about 225 yards to the west of the Araidanga *ganja* and opium shop.

(*ii*) Yes.

(*iii*) The Licensing Board rejected the objection of the Secretary of the Araidanga High School on the ground that the shop was removed to the present site only a year ago in consultation with the executive authority of the said school and the President of the local Union Board.

(*b*) Instruction is being issued to shift the present site at a distance of ¼th of a mile from the said school and said *tól*.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state who is the executive authority as referred to in his answer (*iii*)?

The Hon'ble Mr. PRASANNA DEB RAIKUT: The Licensing Board.

Mr. SURENDRA NATH BISWAS: No, no. The Hon'ble Minister has said that the shop was removed to the present site only a year ago in consultation with the *executive authority* of the said school. Who is that executive authority?

The Hon'ble Mr. PRASANNA DEB RAIKUT: The Managing Committee.

Mr. SASANKA SEKHAR SANYAL: If I give him information that the Secretary of the said Managing Committee is Babu Atul Chandra Kumar, a member of this House, and if I also give him information that neither the Secretary nor the Committee of the school was consulted, will the Hon'ble Minister kindly consider the desirability of referring the matter back to the district authorities to re-consider this question?

Mr. SPEAKER: It is stated that the executive authority was consulted——

Mr. SASANKA SEKHAR SANYAL: That was before. It was in consultation with the executive authority of the school that the shop was removed to the present site.

Mr. SPEAKER: You are also making the same mistake. Instruction is being issued to shift the present site——

Mr. SASANKA SEKHAR SANYAL: The objection continues even in respect of the present site and the allegation that the executive authority was consulted——

Mr. SPEAKER: Please see answer (*b*) where it is said "instruction is being issued to shift the present site at a distance of ¼th of a mile from the said school and said *tôl*."

Mr. SASANKA SEKHAR SANYAL: I am sorry, I didn't notice that.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Babu Atul Chandra Kumar, a member of this House and Secretary of this institution, has informed the Hon'ble Minister himself that neither he nor any other member of the Executive Committee of the school was consulted?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I was not aware of this fact before. I was told so by Mr. Atul Chandra Kumar about this matter.

Mr. SYED JALALUDDIN HASHEMY: May I enquire what is the policy of the Government with regard to the location of the *ganja*——

Mr. SPEAKER: That question does not arise.

Mr. ATUL CHANDRA KUMAR: Is the Hon'ble Minister in a position to contradict me if I say that neither the Secretary nor any other authority of the school was a party to the selection of the present site?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is only the report that I have received. I cannot say whether he was a party to it or not.

DEMAND FOR GRANT.

38—Medical.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, on the recommendation of His Excellency the Governor, I beg to move on behalf of the Hon'ble Nawab Bahadur of Dacca, Minister, Public Health and Local Self-Government, who is unavoidably absent, that a sum of Rs. 51,13,000 be granted for expenditure under the head "38—Medical".

The total provision for expenditure under this head of Budget is Rs. 57,40,000 of which Rs. 51,13,000 is voted and the balance, viz., Rs. 6,27,000 is charged on Provincial Revenues.

The actual expenditure during the preceding three years and the revised estimate for the current year may be found illuminating and are stated below:—

Year.	Rs.
1937-38 ...	... 52,87,000
1938-39 ...	... 55,96,000
1939-40 ...	... 56,33,000
1940-41 ...	... 57,16,000 (revised estimate).

For favour of information of the honourable members, a statement has already been placed before the House referring to the policy that has been adopted by the Ministry which it is proposed to pursue and describing the progress that has been made during the current year. It is confessed, Sir, that the progress has not been commensurate with the intention that Government had to accelerate their policy. The reasons are many and varied which have already been set forth in the statement. Sir, the House may rest assured that further progress will be continuous as considerations of gradual development of institutions, rural and urban research, administration and finances admit.

The Medical Budget shows some decrease in the estimates. The decrease is more apparent than real, and it may be explained thus: There was a provision for leave and deputation salaries in the Budget for the year 1940-41 which has been omitted for the reason that no arrangement for leave or deputation has been made on account of the present international situation. Owing to the drafting of I. M. S. officers to the war, there has been a decrease of Rs. 52,000 in the provision for district administration. It may be observed in this connection that the transfer of Rs. 60,000 from "Voted" to "Charged" in respect of the annual grant to the Albert Victor Leper Hospital in accordance with the Bengal Revenues Charged Expenditure Act, 1940, is by way of mere adjustment.

Sir, there is no doubt that the honourable members have carefully studied the Red Book which explains the other differences, to which I need not refer. The Red Book and the Budget will confirm what have been observed in the statement already placed before the House that progress in various directions towards extension of medical relief, improvement of medical teaching, research and administration has not only been maintained, but certain new lines have been chalked out with the object of securing advance of medical relief on proper lines within the compass of available finances.

Sir, I may in this connection refer to some of the outstanding improvements that have been undertaken in pursuance of the policy

of Government during the ensuing year. The scheme for the improvement of Sadar hospitals which was on modern lines, is going to be enlarged and would now include the improvement of subdivisional hospitals which are no less important. With a view not only to bring medical relief of a higher order near the patients from the rural areas so that they will have no need to travel to Calcutta for treatment of complicated diseases but also to relieve the present congestion in the Calcutta hospitals which should be intended for specialised treatment apart from treatment of patients from Calcutta proper. As has been observed, the rural dispensaries have continued to receive usual contributions without any exception. All dispensaries that have conformed to the conditions and have been recommended as eligible by the local officers have received the usual grants. The Jadavpur Tuberculosis Hospital is the only hospital in the province for treatment of Tuberculosis with the exception of a negligible number of beds in the Medical College and a few mufassal hospitals. A grant of Rs. 54,000 has been made during the current year for acquisition of land for drainage and sanitation, and a further grant of Rs. 1,00,000 has been provided this year, on condition that additional facilities to be prescribed by Government should be given to patients from the mofussil.

The House is aware that the establishment of travelling Eye Dispensaries through the auspices of the Association for Prevention of Blindness in Bengal has proved most effective. Arrangement has been made to increase the number of these dispensaries, so that there may be at least one Travelling Eye Dispensary for each Division.

Nursing arrangement in our hospitals with the exception of one or two is exceedingly unsatisfactory and in many hospitals there is no nursing at all. Government have made arrangements in connection with the improvement of nursing in the Campbell Hospital for training of a fairly large number of Indian nurses, so that not only the nursing in the Campbell Hospital, the largest hospital in Calcutta, will be improved, but the services of these nurses will be available for hospitals outside Calcutta. I may also mention in this connection the opening of the Eden Hospital Extension which will enable a larger number of maternity cases to be catered for. Now that Indian ladies are becoming more hospital-minded it is very essential that rooms should be found for as many maternity cases as possible.

I do not think that I need add anything more in view of the statement which is already in the hands of the honourable members as a record of the more important business conducted by the Ministry of Health and I am confident that they have considered the statement with care and due appreciation of the manifold difficulties, financial and otherwise, that have beset Government during the current year. The House may remain assured that in carrying out the forward policy in regard to the extension of medical relief, education and research

towards amelioration of the existing unsatisfactory conditions in the Province, the Ministry will be grateful for useful advice of the honourable members and all other persons who are interested in health uplitt.

Mr. CIASUDDIN AHMED: Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100.

সভাপতি মহোদয়, বাংলার বর্ত্তমান গভর্ণমেণ্ট সারা বাংলার প্রত্যেক ইউনিয়নে ইউনিয়নে অন্ততঃ একটি করিয়া ডাক্তারখানা স্থাপন করিতে সমর্থ হন নাই, এই জন্য আমি এই প্রস্তাব উপস্থিত কোরছি। এই প্রস্তাব সম্পর্কে বোলতে যেয়ে আমার প্রথমেই পল্লী বাংলার জনসাধারণের নানা রোগে জর্জ্জরিত, কঙ্কালসার ছবিগুলি চোখের সামনে ভাসে। অবশ্য পূর্ব্বকালের ইতিহাস দেখলে মনে হয় না যে বাংলার পল্লীবাসীর অবস্থা পূর্ব্বে এত শোচনীয় ছিল। তখন তাদের যথেষ্ট সংস্থান ছিল, তাদের যথেষ্ট সম্পদ ছিল এবং তারা যথেষ্ট শান্তিতে বসবাস কোরত। কালাজ্বর, ম্যালেরিয়া কাকে বলে পূর্ব্বে পল্লীবাসী বাঙ্গালী তা জানতো না। বর্ত্তমানে বাংলার পল্লীগুলি এক একটি মারাত্মক রোগের ডিপো হোয়ে দাঁড়িয়েছে। পূর্ব্বেকার গভর্ণমেণ্ট পল্লীর উন্নতির দিকে সেরূপ বিশেষ দৃষ্টি দেন নাই, সেইরূপ বর্ত্তমান গভর্ণমেণ্ট যদি পল্লী অঞ্চলের প্রতি দৃষ্টি না দিয়ে চলেন তাহোলে পল্লীর জনসাধারণ আর বেশী দিন সেখানে বসবাস কোর্ত্তে সমর্থ হইবে না। পল্লীগুলি জনশূন্য হোয়ে যাবে। এবারকার বাজেট দেখলে দেখা যায় বর্ত্তমান মন্ত্রীমণ্ডলী পল্লীবাসীদের সম্বন্ধে যথেষ্ট উদাসীনতা দেখিয়েছেন। Medical বিভাগে এবার বরাদ্দ হোয়েছে ৫১ লক্ষ ১৩ হাজার টাকা। তার মধ্যে Officerদের বেতন বাবদ ২৮ লক্ষ ১৪ হাজার ৫ শত টাকা চোলে যাচ্ছে। সহরাঞ্চলের Hospital ও Dispensary বাবদ ১৫ লক্ষ ৮১ হাজার টাকা চোলে যাচ্ছে। মফঃস্বল অঞ্চলের Hospital এবং Dispensary বাবদ মাত্র সাড়ে তিন লক্ষ টাকার ব্যবস্থা করা হোয়েছে। আজ এই বিরাট বাংলাদেশের মফঃস্বল অঞ্চলের রোগ দমনের জন্য বা চিকিৎসার জন্য এই সামান্য টাকায় কি হোতে পারে তা নিজেরাই বুঝতে পারেন। আজ পল্লী অঞ্চলের মৃত্যুর হার যদি একত্রিত করা যায়, তাহোলে দেখবেন বাংলার পল্লীবাসীরা কি শোচনীয় অবস্থায় দাঁড়িয়েছে। গভর্ণমেণ্টের Public Health Departmentএর Reportও এই কথা সপ্রমাণ করে। ১৯৩৮ সালে ম্যালেরিয়ায় আক্রান্ত হোয়েছিল ৪২ লক্ষ ৭৩ হাজার ৩০৭ জন, যাহারা কিছু কিছু চিকিৎসা গ্রহণ কোরেছিল। আর কত লোক যে বিনা চিকিৎসায় ছিল তার সংখ্যা কে জানে। তার মধ্যে এই বৎসরই মারা গিয়েছে ৪ লক্ষ ১৩ হাজার ৫৫৭ জন। এই গেল গ্রামের সংখ্যা। আর সহরে ম্যালেরিয়া রোগে আক্রান্ত হোয়েছিল ২০ হাজার ৯ শত ৪৬ জন, তার মধ্যে মারা গেছে ২,৯৬৪ জন। অথচ মফঃস্বলে চিকিৎসার জন্য বরাদ্দ হোয়েছে মাত্র সাড়ে তিন লক্ষ টাকা। পূর্ব্ব বৎসর হইতে ম্যালেরিয়া গ্রামে বেড়েছে শতকরা ১৮·৭ per cent., আর সহরে বেড়েছে 14·7 per cent. কালাজ্বরে ১৯৩৭ সনে মারা গিয়েছে মোট ২১ হাজার ২ শত ২৭ জন, তার মধ্যে গ্রামে

মারা গেছে ২০ হাজার ৬ শত ৯১ জন, বাকীটা সহরে। ১৯৩৮ সনে কালাজ্বরে মারা গেছে ২১ হাজার ৬ শত ৪২ জন, তার মধ্যে গ্রামে মারা গিয়েছে ২০ হাজার ৯ শত ৭০ জন, বাকীটা সহরে। ১৯৩৭ সালে বাংলাদেশে নিউমোনিয়ায় মারা গেছে ৪৮ হাজার ৯ শত ২৭ জন, যক্ষ্মায় মারা গেছে ৩০ হাজার ৬ শত ৬৮ জন। এই সব মৃত্যুর সংখ্যার পরিমাণ গ্রাম দেশেই হোয়েছে সব চেয়ে বেশী। এই হিসাব থেকে বোঝা যায় কালাজ্বর, ম্যালেরিয়া, যক্ষ্মা ইত্যাদি মারাত্মক ব্যাধির সবগুলিরই মৃত্যু সংখ্যা বেড়েই চোলেছে। বাংলার এই দুরবস্থা দূর করবার জন্য আমি আমার প্রস্তাবে বোলছি যে প্রত্যেক ইউনিয়নে একটি কোরে ডাক্তারখানার ব্যবস্থা করা হউক। তাহোলে যখন গ্রামের গরীব লোকেরা রোগে ছটফট কোর্ত্তে থাকবে তখন অন্ততঃ এক ফোঁটা ঔষধের ব্যবস্থা হোতে পারে। এই সব লোকের অধিকাংশই পল্লীবাসী কৃষক প্রজা এবং তাদের ভোটেই তাদের প্রতিনিধি হিসাবে আমরা এখানে এসেছি। আমি মন্ত্রীমণ্ডলীকে বিশেষ কোরে বোলছি যাদের ভোটে আপনারা এখানে এসেছেন, তাদের প্রতি উদাসীনতার ফলে তাদের সংখ্যা দিন দিন কমে যাবে। অবশ্য তাতে এক হিসাবে সুবিধা হবে কেননা ভোটারের সংখ্যা কমে গেলে Canvassing খরচ কম লাগবে।

সে যাহা হউক, আমার বক্তব্য এই যে আমরা প্রায় সকলেই পল্লীবাসীর প্রতিনিধি হিসাবে এখানে এসেছি। আজ পল্লী অঞ্চলের জনসাধারণের সুখসুবিধা বিধান করা আমাদের সকলেরই কর্ত্তব্য। সেদিক দিয়া প্রত্যেক ইউনিয়নে একটি কোরে ডাক্তারখানা হওয়া একান্ত উচিৎ। আমি মনে করি এই প্রস্তাব সম্বন্ধে কাহারও দ্বিমত নেই এবং সকলেই এ প্রস্তাব সমর্থন কোরবেন। বর্ত্তমান মন্ত্রীমণ্ডলীর আমলে যখনই কোন জনহিতকর কার্য্যের কথা ওঠে তখনই সেটা টাকার অভাবের অজুহাত দেখিয়ে ধামাচাপা দেওয়া হয়। টাকার সন্ধান আমরা জানি, যদি সে সন্ধান দেওয়া হয় সে পথে তাঁরা চলেন না। মন্ত্রীমণ্ডলী যে সব লোক-দেখান বিভাগ খুলে টাকার অপব্যয় কোরছেন সেই টাকাই যদি বাঁচান যেত তাহোলে অনেক উপকার হোতে পারে। এই যে Publicity Department থেকে বাঙ্গালার কথা এবং Bengal Weekly নামে দুই খানা পত্রিকা ছাপান হয় আমার মনে হয় যাদের কাছে এই পত্রিকাগুলি পাঠান হয় তাদের মধ্যে শতকরা ৯৫ জন এইগুলি খুলেও না। এর দ্বারা বাংলার জনসাধারণের এক বিন্দুও উপকার হয় না। অথচ এর পেছনে প্রায় দেড় লক্ষ টাকা খরচ করা হয়। এই টাকাটা যদি বাঁচান যায় তাহোলে এই টাকাটা দিয়ে জনসাধারণের অনেক উপকার করা যেতে পারে। কয়েকদিন পূর্ব্বে এই হাউসে আমি আর একটি প্রস্তাব এনে বলেছিলাম চৌকিদার ও দফাদারদের বেতনের ভার গভর্ণমেণ্ট গ্রহণ করুন, তাহোলে ইউনিয়ন বোর্ড গুলির হাতে অনেক টাকা বেঁচে যেতে পারে। এবং তারা অন্যের সাহায্য ছাড়াই প্রত্যেক ইউনিয়নে একটি কোরে ডাক্তারখানা স্থাপিত কোরে চিকিৎসার সুব্যবস্থা কোর্ত্তে পারে। মন্ত্রীমণ্ডলীর শুভ ইচ্ছা প্রমাণ হবে তাঁরা যদি আমার প্রস্তাব গ্রহণ কোরে পল্লীবাসীর সুখসুবিধার পথ কোরে দেন।

আমি এই সম্পর্কে আর বেশী সময় নিতে চাই না। এর পূর্ব্বেও এই প্রস্তাব সম্পর্কে অনেকবার আলোচনা হোয়েছে। এইবার এই Assemblyর শেষ বৎসর

চার বৎসর যদি কিছু কোরে না থাকেন তবুও আশা করি যাদের ভোটে মন্ত্রীমণ্ডলী এখানে এসেছেন তাদের জীবন রক্ষার সমস্যা সমাধানের জন্য শেষ বৎসর কিছু কোরবেন। এইটাই একটি বড় সমস্যা। পল্লীর কৃষক জনসাধারণ যদি না বাঁচে তবে অন্যান্য সমস্যার সমাধান কোরলে তাদের লাভ কি? আজ সব চেয়ে বড সমস্যা হোচ্ছে পল্লীবাসী কৃষক জনসাধারণকে মহামারীর হাত হতে বাঁচান। এইজন্য প্রত্যেক ইউনিয়নে একটি কোরে ডাক্তারখানা কোরে পল্লীবাসী কৃষক জনসাধারণের জীবন রক্ষার ব্যবস্থা হউক এই আমার প্রস্তাব। আশা করি সকলেই এই প্রস্তাবের পক্ষে ভোট দিবেন।

Mr. SURENDRA NATH BISWAS: Mr. Speaker, Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100.

Sir, to-day I cannot resist my feelings to express that this popular Government from which the people of the country expected much are determined to run the administration only by speeches and statements and not by deeds. Sir, when the Hon'ble the Finance Minister presented the Budget before us he said: "Pay me tax—this additional tax under the two prospective Bills, namely, the Motor Spirits Sales Tax Bill and the Finance Sales Tax Bill, and then I will create a millennium." Sir, we all know that the proceeds of these two taxes, when these Bills are passed into laws, will be adjusted against the deficit of Rs. 134 lakhs. Now, Sir, if we study the deficit, we find that the deficits have been due to unnecessary and extravagant expenses in many departments and those departments are not the nation-building departments for which the Hon'ble the Finance Minister and the other Ministers who followed him have shed crocodile tears.

Now, Sir, this is one of the most important nation-building departments, but I found from the Budget that the provision for the current year is less with regard to the grants to hospitals and dispensaries than the grants of the previous year. Sir, during the year 1939-40, the actual expenditure under head "Grants to Hospitals and Dispensaries" was Rs. 7,45,678, of course excluding Rs. 60,000 which is granted to Albert Victor Leper Hospital. Then, Sir, in the Budget estimate of 1940-41 we found that a sum of Rs. 9,23,000 was provided for grants to hospitals and dispensaries. But in the revised estimate we find that the grant has been reduced to Rs. 8,77,000. If we deduct Rs. 60,000 which is the grant to Albert Victor Leper Hospital, we find that in the revised estimate there has been a provision of Rs. 8,17,000 as grant to hospitals and dispensaries but what do we find in the next year's Budget? In the next year's Budget we find the corresponding amount is Rs. 7,81,000, that means about Rs. 36,000 short. So, the deficit which has been shown in the Budget has nothing to do with the grant to hospitals and dispensaries which, as everybody knows, is so essential for the rural people and the people in the urban areas. Now, Sir, I find that the Hon'ble Minister in charge

of Medical Department is not here to-day, but his representative the Hon'ble Mr. Tamizuddin Khan has moved the motion asking for the demand. The Hon'ble Nawab Bahadur has issued a statement from which I find that he is very anxious to improve the conditions of the Sadar hospitals and the subdivisional hospitals. Sir, he says that his policy is to improve the conditions of these hospitals to such an extent as will be just like the hospitals in Calcutta and these Sadar and subdivisional hospitals will provide for the same amenities and same facilities as the Calcutta hospitals do. But, Sir, what do I find? I find from the last year's Budget, I mean the current year's Budget that Rs. 90,000 was provided as grant for the improvement of Sadar hospitals, but in this Red Book we find that Rs. 80,000 out of the provision of Rs. 90,000 could not be spent, that is to say, only Rs. 10,000 was spent. What is the explanation he has given? The members of the House will be amused to learn that the explanation is that he instructed his department to make a survey of the buildings, provision for an adequate nursing staff and other equipments in order to modernise the Sadar and subdivisional hospitals, but unfortunately, however, the international situation has retarded the investigation owing to the lack of suitable officer for the time being fitted to undertake the survey. Government was lacking suitable persons to undertake their survey and that was the reason why this Rs. 90,000 could not be spent for the improvement of Sadar hospitals and subdivisional hospitals. In the Budget of the next year I find that a sum of Rs. 2,20,000 has been provided for the same improvement schemes of Sadar hospitals but none to subdivisional hospitals. I am sure that this grant also will have the same fate as the grant of the current year, because the present Government is used to surrender from the demand for nation-building departments at the close of the year. From the report of the Committee of Public Accounts and Appropriation Accounts and Finance Accounts of the Government of Bengal for 1938-39, I find that in reply to a query of Rai Harendra Nath Chaudhuri the Surgeon-General said that a lump provision of Rs. 3 lakhs was made in the Budget of 1938-39, but detailed schemes, however, remained to be drawn up and had to be examined and approved by the Department of Communications and Works and at last that amount could not be spent for want of any scheme being approved. That was the fate of the grant which was provided for in the Budget for 1938-39. The same fate overtook the demand for such a grant in 1939-40. About the current year's demand as I have already said only Rs. 10,000 could be spent out of Rs. 90,000, and God knows what will be the fate of this Rs. 2,20,000 reserved for the improvement of Sadar hospitals for the current year.

Now, Sir, I am surprised to hear that the Hon'ble Mr. Tamizuddin Khan has told us this evening that some provision has been made for the improvement of the subdivisional hospitals. May I ask him from

where and under what head is he going to find the money? Can he show me any figure in the Budget which has been provided for the improvement of subdivisional hospitals? I find from the Budget that Rs. 2,20,000 is provided only for the improvement of the Sadar hospitals.

Now with regard to this improvement I find that there is a great impediment in the way and unless that impediment is removed, no improvement will be made. The impediment is this that the Government has imposed conditions for improvement to the Sadar and probably subdivisional hospitals. Government wants that the local authorities must contribute towards the capital expenditure for such improvement and must guarantee the entire amount of recurring expenditure for such improvement. Who does not know that the mufassal municipalities are very poor and that they cannot carry on their normal functions with their respective income? It will be an impossible burden on them to undertake this share of the capital expenditure and the full amount of recurring expenditure. The result will be that in spite of the pious wishes of the Government very few Sadar or subdivisional hospitals will be able to avail themselves of the opportunities now offered to them by Government. I submit, Sir, that there are some dispensaries started and maintained by non-official organisations which have spent a lot, and probably their utmost, for the improvement of such hospitals. They have applied to Government for some grants, but Government has not paid any heed to them and has not paid any money as grant to such hospitals. We find that from year to year grants are surrendered but the deserving hospitals do not get a single pie As an instance, I shall cite the example of the application of North Suburban Hospital, Cossipore This is an institution which was established and is maintained by non-official organisation. Some charitably-disposed gentlemen have contributed and spent more than a lakh of rupees over this hospital. They only wanted a few thousad rupees for their Maternity Department, but Government has not paid that. I hope that the Hon'ble Minister will be pleased to look into this matter.

Now, I come to grant of rural dispensaries. I find that the ordinary grant is Rs. 1,50,000. During the current year, an additional provision of Rs. 21,000 was provided for. I do not know whether the full amount will be spent. Then with regard to the next year an additional amount of Rs. 1,80,000 has been provided, that is, in all Rs. 3,30,000 has been provided for grant to village dispensaries, but the members know there are about 5,650 unions in Bengal. I do not know how much money each union will get and how much improvement these dispensaries will be able to effect. Now, Sir, there is also a similar impediment to the establishment of rural dispensaries. Government wants that the local people will find for the land, will find for

the dispensary buildings, will find for the doctor's quarters and will find for recurring expenditure. Then and then alone Government will come forward to give some grant and the District Board will also make some grant. Who does not know that the rural people are very poor? You have killed the money-lenders or the economic condition has killed the money-lenders. I do not want to raise any issue over that now. Money-lenders are killed, the landlords are killed; in fact, all solvent people are killed. Only poor people remain in villages. I ask the Hon'ble Minister to give his considerate attention towards this problem and the question that without Government grant, these poor people will not be able to establish dispensaries in their villages and utilise the Government grant.

Mr. JATINDRA NATH BASU: Mr. Speaker, Sir, I beg to call the attention of Government to the necessity for making grants to the General Council and State Faculty of Ayurvedic Medicine.

Sir, after the Hon'ble Mr. Tamizuddin Khan introduced his estimates we have listened to several speeches the burden of which has been that there very unsatisfactory conditions prevail so far as the public health of the province is concerned, especially in rural areas, and that the facilities for treatment are lacking to an alarming extent. If that is so, it is the duty of Government to provide such facilities for medical treatment as will enable the villager to have the services of a medical man and of medical treatment close to his home. Sir, the Ayurvedic system of medicine has been prevailing in this province and in a large part of India for many, many years—I believe, for two thousand years. The people have become used to treatment under that system. With the introduction of Western systems of medicine there was no doubt the growth of a new spirit which led to the neglect of the indigenous system. About 25 years ago, Sir Pardey Lukes who was then Surgeon-General to the Government of India, pointed out the importance of the Ayurvedic system. There has since been further recognition of Ayurveda by the Western systems by the inclusion of a large number of Ayurvedic medicines and drugs in the pharmacopœia of Great Britain and of other countries in the West. Sir, the advantage of the Ayurvedic system is this. One of the speakers who has preceded me wanted a medical dispensary for every union which consists of a number of villages. To have medicines according to the modern Western system is expensive, and it will be difficult for our villagers, even if there is one medical dispensary in every union, to avail themselves of the services of the medical men there and of the medicines prescribed by them. The Ayurvedic treatment is much less costly, and the medicines that an Ayurvedic practitioner uses are suited to the physical constitution of his patients. These are obtained mostly from the indigenous herbs and plants grown in the locality, and the cost is practically negligible. The attention of Government has been directed to the development of

indigenous systems of treatment ever since 1921. It was in 1937 that the Government established the General Council and State Faculty of Ayurvedic Medicine. At that time Government no doubt stated that it would not undertake any financial responsibility about the working of that Faculty. The Faculty was established with funds contributed by some members of the public. The Faculty has been functioning for nearly four years. What it seeks to do is to include in its official medical register only such practitioners as are found to be fit to practise the medical profession. For the future the Faculty has laid down regular courses of study and examinations for those intending to enter the profession. Persons who desire to be placed on the Ayurvedic register have to undergo these difficult examinations, both theoretical and practical, in medicine and surgery, before they are entitled to be placed on the Ayurvedic register. Sir, as has been pointed out, these Ayurvedic practitioners, being less expensive, will be available to almost every villager, and the knowledge which not only the old books contain, being the accumulated experience of ages past, but also the modern advances which are also included in their stock of knowledge and their stock of medicines will be available at a very little cost to the general mass of rural people in this country. It is, therefore, necessary that the Government should help the Faculty established by it as a State Faculty and not allow the Faculty to gradually languish for want of State support. This question was raised before this House in March, 1939, when the Hon'ble Mr. Tamizuddin Khan who was then in charge of the Medical Department stated that "Government have already recognised the Ayurvedic system of medicine and that a State Medical Faculty of Ayurvedic Medicine has been established in Bengal and the Faculty has been functioning for about two years now. When the Faculty was established Government was not in a position to give any financial aid and the Faculty was constituted on the distinct understanding that this should mean no financial commitment on the part of Government. But I would say that Government do not stick to that decision for ever. The question will certainly be examined, and if it is possible to give financial aid to the Faculty of Ayurvedic Medicine, that will certainly be done." Then he goes on to say that he will help it. The state of finance of the Ayurvedic Faculty is not good and the income nowadays is derived from the preliminary registration of persons who are Ayurvedic practitioners. But such registration has been completed. There is likely to be no further registration of new Ayurvedic practitioners except in the case of those few students who succeed in passing the final examinations of the Ayurvedic Faculty. Thus the number of new registrations will be necessarily small. The fund in hand is gradually dwindling in meeting the current expenses. Government have provided that in every three years the Governing Body shall be elected by those who are on the medical register. The election expenses amount to Rs. 4,000. So far as the State Faculty of Medicine

is concerned, Government find all the expenses for its elections, but in the case of Ayurvedic Faculty, Government have not made any contribution of money whatsoever. The elections are due to be held some time before September next and I would urge upon the Government the necessity of looking into the matter and to make such grants as it considers proper in meeting the extra expenses cast upon the Faculty by the elections that are coming.

So far as the other indigenous system is concerned, namely, the Unani system, it was an effective system in the past and so far as the Ayurvedic Faculty is concerned it will do its best to help the Unani Faculty, when it is established by placing the experience that it has gained in conducting a Faculty for Ayurvedic Medicine and in any other way that may be available to it.

Mr. J. W. CHIPPENDALE: Mr. Speaker, Sir, we are very grateful to the Hon'ble Minister in charge of the Medical Department for the many improvements he has made and for all his efforts to increase the efficiency and usefulness of his department, as well as for his encouragement and recognition of local training and qualifications. We now invite his kind attention to the working conditions and status of the Anglo-Indian nurses in the Medical College group of hospitals. We would be thankful if Government would appoint a fully representative and independent committee to enquire into the grievances of these nurses and grant them relief.

Most of the honourable members of this Assembly are fully aware of the excellent services rendered by these nurses. If you walk into any of these hospitals you will see the patients most carefully attended to, every sympathy and kindness shown to one and all, medicines and nourishments given at regular intervals, and every means taken to ensure comfort, rest and ease. And now, turn your attention for a few moments and consider the conditions of service of these ministrants of mercy and their outlook. The pay they receive is small; the food they get is unattractive and, at times, uninviting; the foodstuffs supplied are good but the cooking is bad. Their uniform allowance is fast disappearing even to a vanishing point except on paper. Their hours of duty sometimes extend to 14 hours out of the 24. They dare not open their lips to complain for fear of instant dismissal. In silence and sorrow they continue their duties and bear their burdens. All those in authority are fully aware of these long hours of work, strain and toil but nobody comes foward to help or sympathise.

All these hospitals are understaffed. They need a larger number of nurses. They want more money, larger grants and better arrangements. Modern life cannot get on without nursing and nurses. They are an absolute necessity and not a luxury. The poor man requires their services just as much as a rich man. Pain knows no difference

between the rich and the poor, the high and the low. We want a full and independent enquiry. The grievances of these nurses are many and we want redress. Our request is small, reasonable and moderate.

In granting this, the Government will earn the gratitude, not only of the nurses, but of the public who are compelled to go into these hospitals through illness, suffering or misfortune. I trust that my appeal will not be a cry in the wilderness but be productive of result.

There is also another matter to which I must invite your attention. The training given in Calcutta is of no mean order. If a girl trained in Calcutta can secure the highest diploma available in her line in London within 6 months, it is a clear proof that the teaching given in Calcutta is of a substantial nature and fairly high. If the Calcutta standard be lower than the standard which obtains in Europe and America, then by all means raise that standard and make it equal to the best that may be found in any part of the world, but at the same time, in fairness to all, see that our nurses are not deprived of the fruits of their labours by importations from overseas. Give local nurses all the posts available from the lowest to the highest. Let merit obtain its due reward. Let not unjust preference mar the free growth of a noble profession.

Bengal is the only province in India where Superintendents and Nursing Sisters are systematically engaged from countries outside India. Everywhere else these posts are filled by promotion from the ranks of locally trained women. I ask not this as a favour but demand it as a right. The Indian Statutory Commission supports the justice of my claim. They say in their report: "Some 1,500 Anglo-Indian women are in the nursing profession. They have given of their best to the tending of the sick of all races and have thus done something towards meeting one of the foremost and most urgent needs of Indian society."

Even the rules of admission for training require overhauling and revision. As they stand, they lead to absurdities. The Matriculation Examination of the Calcutta University is turned down and the Higher Grade Schools' Final Examination, which is an examination instituted and conducted by Government, is either unknown or ignored; while the Cambridge Junior Local Examination is given the preference over a first class in the Matriculation Examination of the University of Calcutta. Can absurdity go further? Tinkering is useless. The whole thing must be changed. Bengal ought to be self-contained and supply her own wants.

Every action, Sir, has an equal and contrary reaction, not only in the physical world but also in the political, social and economic. You cannot escape it. Justice I claim; let justice be done.

Dr. GOBINDA CHANDRA BHAWMIK: Mr. Speaker, Sir, এবার Budgetএ Medicalএর জন্য ৫১,১৩,০০০৲ টাকা বরাদ্দ করা হোয়েছে। এই টাকার মধ্যে Medical Headএ Establishmentএর জন্য ৭,৬১,০০০৲ টাকা, Hospital and Dispensariesএর জন্য ২,৮১,৪০০৲ টাকা, Grant for Medical purposes ২,৭৫,০০০৲ টাকা, Medical College and Schoolsএর জন্য ১০,৭৩,০০০৲ টাকা, Medical Hospitalsএর জন্য ৫,৬০,০০০৲ টাকা বরাদ্দ হোয়েছে। এই বিভাগে Surgeon-General থেকে আরম্ভ কোরে মোট ১৩১ জন বড় কর্ম্মচারী আছেন। তাঁদের অধিকাংশই I. M. S. বা I. M. D. officers। এঁরা বাংলাদেশে I. C. S. officerদের মত শ্বেত হস্তী বিশেষ। এঁদের পুষতে বহু টাকা ব্যয় হইয়া যায়। Surgeon-Generalএর বেতন প্রতি মাসে ৩,০০০৲ টাকা। ১১৪ জন officer ২,৩৫০৲ টাকা gradeএ আছেন, আর ২৬ জন ১,৮৫০৲ টাকা গ্রেডে আছেন। এই সব officerদের মাইনের খাতে যায় ১৪,৭৯,১৮৬৲ টাকা। দেশের Medical Departmentএর জন্য ৫১,১৩,০০০৲ টাকা বরাদ্দ হোয়েছে। কিন্তু শুধু মাইনের খাতেই ব্যয় হয় ১৪,৭৯,১৮৬৲ টাকা। এতে তাজ্জব বনতে হয়। যদি আমাদের দেশে সত্যিকারের Provincial Autonomy হোত তাহোলে গভর্ণমেণ্ট এই মাইনে কমাবার চেষ্টা কোরতেন। Medical Department দেশের একটি Nation Building Department. ১৯৩৭ সাল হইতে ১৯৪১ সালে ৫ লক্ষ টাকা বেশী বরাদ্দ হোয়েছে। কিন্তু হিসাবে দেখা যায় এই বাড়তি টাকার মোটা অংশ মাইনের খাতে চলিয়া যায়। সামান্য যে টুকু বাকী থাকে সেটা না দিলেই ভাল হোত।

Presidency Hospital Dispensariesএর জন্য ১৬,৫০,০০০৲ টাকা বরাদ্দ করা হোয়েছে। এবং মফঃস্বল হাসপাতালসমূহের জন্য ৩৫,৪০,০০০৲ টাকা বরাদ্দ করা হোয়েছে। ১৯৩৮ সালের Reportএ দেখা যায় যে Calcutta and Suburbsএ ৫৪টা হাসপাতাল আছে। তারমধ্যে ৪৮টি Allopathic Hospital, আর বাকী ৬টি Homoepathic ও আয়ুর্বেদিক। তার মধ্যে ২৬টি Outdoor এবং ২৮টি Indoor Hospital সব শুদ্ধ ৪,০২৫টি bed আছে। Indoorএর জন্য খরচ হোয়েছে ৭৪,১৫১৲ টাকা আর Outdoorএর জন্য খরচ হোয়েছে ৯,২৮,১৯৮৲ টাকা। এই সমস্ত hospital গুলির জন্য ব্যয় হোয়েছে ৩৫,৯৩,০০০৲ টাকা, আর গভর্ণমেণ্ট দিয়েছেন ২০,২৭,৯৮৮৲ টাকা। এর মধ্যে মাইনের জন্য খরচ হোয়েছে প্রায় ১৫ লক্ষ টাকা। মফঃস্বলে ১,৫৩৩টি hospital আছে। এরমধ্যে ৫৬টি State Institution, ১১২টি Village and Union Board Hospital, ১১০টি Private Institutions receiving grants, ১৭৩টি Private unaidded, ৭৪টি Railway এবং ৮টি subsidised, সবশুদ্ধ bed আছে ৬,৩৭৮, সেখানে চিকিৎসিত হইয়াছিল Indoor Patient ১,০৪,৮১৫ এবং Outdoorএ চিকিৎসিত হোয়েছিল ১২,৯০,৯৪১। এর মধ্যে Malaria রোগী ছিল ৪২,০৯,৪৮২, Kalazar রোগী ছিল ১,০১,০৮২, Dysentery রোগী ছিল ২,৯৬,৫৪৮ Tuberculosis রোগী ছিল ২০,০৩১। এই

hospitalগুলি পরিচালনার জন্য ব্যয় হোয়েছে ৩৪,৫২,৪৪৩৲ টাকা তার মধ্যে গভর্ণমেণ্ট দিয়েছেন মাত্র ৫,৬৭,৩৫৫ অর্থাৎ ১৬·৪৩ অর্থাৎ এই মফঃস্বল hospital গুলির জন্য বিশেষ কোন ব্যবস্থা করা হয় নাই—গভর্ণমেণ্ট এ বিষয়ে সম্পূর্ণ উদাসীন। যদিও এবারকার বাজেটে দেখতে পাই সদর hospitalsএর জন্য ২,২০,০০০৲ টাকা বরাদ্দ করা হোয়েছে, কিন্তু সেগুলি যেভাবে পরিচালিত হয় তা Calcutta standardএ দেখতে গেলে অতি নিম্ন শ্রেণীর। কাজেই এগুলির উন্নতি বাঞ্ছনীয়। মফঃস্বলের Subdivisional Hospital গুলির জন্য বিশেষ কোন Provision করা হয়নি। Union Boardএর hospital গুলির সাহায্যের জন্য যে টাকা দেওয়া হোয়েছে তা অতি সামান্য। কোন কোন Union Boardএ গভর্ণমেণ্ট মাত্র ৮৪৲ টাকা grant দিয়েছেন। কাজেই সত্যই যারা করভার বহন করে, যারা Provincial Revenue supply করে সেই কৃষকেরা বিশেষ কিছু পায় নাই। আর সহরে যারা বাস করেন তাদের সুখসুবিধার জন্য গভর্ণমেণ্ট বহু টাকা ঢেলে দিয়েছেন। এরকম কোরলে চোলবে না। এখন গভর্ণমেণ্টের দেশের দিকে নজর দিতে হবে। বাংলাদেশে ১২,২১০ জন Registered Practitioners আছেন। তারা সাধারণতঃ মফঃস্বলে যেতে চান না। আমি ব্যক্তিগত অভিজ্ঞতা থেকে বোলছি মফঃস্বলের অবস্থা। আমাদের দেশের লোক গরীব। যারা Qualified Practitioners যারা Medical College বা School এ ৫।৬ বৎসর শিক্ষালাভ কোরেছেন তাঁরা villageএ গিয়ে practice করেন না। দেশের লোক তাদের fees দিতে পারে না। কাজেই তাঁরা সহরে বাস করেন। আজ দেশের লোক বিনা চিকিৎসায় মারা যাচ্ছে। আমাদের সর্ব্বপ্রধান দরকার যাতে পাড়াগাঁয়ে ডাক্তাররা বোসতে পারে এবং এই সম্পর্কে ব্যাপক আইন হওয়া দরকার। প্রত্যেক union ভাগ কোরে Subsidised systemএ যদি ডাক্তার বসান হয় তাহোলে দেশের প্রকৃত উপকার হোতে পারে। মফঃস্বলে অনেক অসুবিধা। সেখানে যানবাহনের সুবিধা নেই। নদী খাল বিলে ভরা। এরূপক্ষেত্রে এমন একটি ব্যাপক আইন হওয়া দরকার যাতে আমরা মফঃস্বলে বাস কোরতে পারি।

বাংলাদেশে Tuberculosis patientএর জন্য দুইটি মাত্র Institution আছে। একটি Jadabpurএ আর একটি Kalimpongএ। সবশুদ্ধ ১৭৩টি patientএর ব্যবস্থা আছে। এই রোগের প্রকোপে সহরের এবং পাড়াগাঁয়ের অনেক family নষ্ট হোয়ে গেছে। আমরা চোখে দেখছি বহুলোক এই রোগে ভুগছে কিন্তু তাদের জন্য কোন ব্যবস্থা কোরতে পারি না। এমন কোন segregation camp নেই যেখানে তাদের সরান যায়। কাজেই Jadabpurএর মত আরও অনেক hospitalএর ব্যবস্থা হওয়া উচিৎ। এবং Diamond Harbour প্রভৃতি অঞ্চলে Colony করা উচিৎ। যাতে কতকগুলি sanatoriums গড়ে ওঠে তারপ্রতি গভর্ণমেণ্টের মনোযোগ দেওয়া দরকার।

আর এখানে Medical Collegeএর শিক্ষার যে ব্যবস্থা আছে তা খুব উন্নত ধরণের নয়। আমাদের ছেলেদের F. R. C. S. পড়বার জন্য বিলাতে যেতে

হয়। যাতে সেখানে যেতে না হয় তার ব্যবস্থা করা উচিৎ। আমাদের দেশে Research Institutions খোলা উচিৎ। গভর্ণমেণ্ট যদি ইচ্ছা করেন তাহোলে অনেক কিছু improvement কোরতে পারেন। তারপর সদর hospital গুলিতে Non-official element বেশী করা উচিৎ। তাহোলে গভর্ণমেণ্টেরও খরচ কমে যাবে, এবং দেশবাসীরও উপকার হবে এবং চিকিৎসাও ভাল হবে।

(Here the member having reached the time-limit resumed his seat.)

Mr. AMRITA LAL MANDAL: Sir, in supporting the cut motion of my friend Mr. Surendra Nath Biswas, I would like to say that the grant which is provided in the Budget is quite insufficient to serve the people of Bengal. Hospitals and dispensaries in the district and subdivisions do not supply sufficient medicine to the patients for which the people of those places are clamouring always. In support of the cut motion I would like to raise a discussion on the inadequacy of medical facilities in the subdivisional dispensary at Tangail, a subdivision which is very important both in respect of population and area. I have tried in a variety of ways to invite the attention of the Hon'ble Ministers to the deplorable condition under which the only dispensary at Tangail was suffering. But, Sir, it appears that those on whom our welfare has been charged are busy with so-called big things for which evidently the feeble voice of this subdivision cannot reach their ears. I have, therefore, had no other option than to bring the matter before this House for a square deal.

Sir, I shall not tire the House with a long list of our grievances which might appear as local and petty to many of my honourable friends here; I shall only submit before this House a few of the salient facts which will show how helpless Tangail town is in respect of medical facilities. The Tangail D. N. Charitable Dispensary has only 16 male beds, 6 female beds with two compounders and one nurse. With this meagre equipment the biggest subdivision in Mymensingh district is being served, and no petition, no clamour and no reasoning has been able to draw the pitiful consideration of the Hon'ble Ministers. Sir, at present the Tangail Charitable Dispensary enjoys a total grant of Rs. 3,340 from various sources; all that the Government have been pleased to give us in their infinite mercy is a paltry yearly grant of Rs. 150 and the free services of an Assistant Surgeon. Now, Sir, this Assistant Surgeon is the only oasis in our desolate desert; he has to cater to the medical needs of the Police, Jail, Government officials besides the inflow of patients in the hospital. For him the task is heavy and exacting. Moreover, the dispensary has no operation table, no up-to-date instruments for operation and in case of urgent and immediate operation a patient has to travel a long distance of sixty miles by motor to reach Mymensingh——

Mr. SPEAKER: How is Government responsible for that?

Mr. AMRITA LAL MANDAL: Sir, I am placing certain facts bout the condition of this hospital which is under Government control.

Mr. SPEAKER: How is it that Government is responsible for that ispensary?

Mr. AMRITA LAL MANDAL: Because it is a Government-aided astitution and is managed by Government.

Mr. SPEAKER: All right.

Mr. AMRITA LAL MANDAL: Therefore, Sir, it quite so often appens that before the patient has to subject himself to the tedium f this journey, a benign providence relieves him of all his mortal roubles. This is not all. There is no isolation ward for cholera and mall-pox cases in the dispensary——

Mr. SPEAKER: I am afraid, Mr. Mandal, it must be a district oard or municipal dispensary. You are wrong in saying that it is anaged by Government.

Mr. AMRITA LAL MANDAL: It is a Government-aided dispensary nd the Subdivisional Officer is the President of its Managing Board.

Mr. SPEAKER: May be; but it is not a Government dispensary. After all, this Budget discussion is meant for the purpose of ventilating he grievances of the public in matters for which Government is directly esponsible. This is a local medical institution the management of hich is vested in a particular local body and the question whether ten eds are adequate for it or whether the number of beds should be ncreased to twenty is not a matter which, I think, can be properly dis- ussed in connection with the Medical Budget. I think you cannot ring in local matters for which Government is not responsible. If I llow this sort of discussion, I am afraid I do not know where it will ead us to. However, if you like, Mr. Mandal, you can only draw the ttention of Government to the inadequacy of the grant to this hospital nd suggest whether Government can render any further help. But ere you are entering into details which concern the local body which is esponsible for it.

Mr. CHARU CHANDRA ROY: Sir, there are beds for the police n this hospital which is under the direct supervision of the Subdivisional Officer.

Mr. SPEAKER: May be; but it is an institution which is not managed by Government. Let us get rid of the idea that because Government has some power of supervision everything in the world must be done by Government.

Mr. CHARU CHANDRA ROY: But Government is also responsible for its proper supervision, Sir.

Mr. SPEAKER: And therefore? Is it your idea that therefore Government must take the initiative and say that there should be twenty beds instead of ten? I am afraid if this subordination mentality is to be tolerated, I do not know where it may lead us to.

Mr. SANTOSH KUMAR BASU: Sir, if Government give a grant to an institution, they have some hand in its administration. And it is only at the Budget time that we can draw the attention of Government to the state of affairs in any particular institution or dispensary which has to a very great extent to depend upon Government grants. When Government give a grant to an institution, certainly Government can bring pressure on that institution to improve its condition.

Mr. SPEAKER: Mr. Basu, as Deputy Leader of the Opposition, you are initiating a very dangerous principle, namely, that you are asking the Government to interfere in the affairs of a local institution which is under the control of a local body, simply because that institution happens to be in receipt of a Government grant.

Mr. SANTOSH KUMAR BASU: Apart from that, Sir, the Budget discussion is only meant for the purpose of drawing the attention of Government to the evils which are in existence in certain administrations. And if Government is in a position to control those administrations which it does on many other occasions, without being called for, why should it not do so on an occasion like this in order to remove an evil?

Mr. SPEAKER: You are initiating very dangerous constitutional precedents, Mr. Basu, for if we give every latitude to the Opposition to ask Government to interfere in the administration of local bodies, I think, it would be treading on dangerous constitutional grounds.

Mr. NIHARENDU DUTTA MAZUMDAR: Even if that be so, Sir, it would, I submit, be a healthy interference on the part of Government.

Mr. SANTOSH KUMAR BASU: I was drawing your attention, Sir, to the fact that Government is interfering in the affairs of local bodies on occasions when such interference is not at all called for, but when occasions are there when they ought to interfere in a matter in the interest of the public, they are callous and indifferent.

Mr. AMRITA LAL MANDAL: Sir, some time ago when the Hon'ble the Chief Minister and the Hon'ble the Minister for Medical Department were on a visit to Karatia, they were pleased to pay a visit to this dispensary and were kind enough to promise substantial grant for the extension of this dispensary. But, Sir, as it so often happens, Ministers sometimes forget themselves in the salubrious atmosphere of the mufassal when they are out on tour, and they promise milk and honey in abundance for us, poor mufassalites; but as soon as they touch the burning dust of the city, their temporary feat of generosity evaporates in the thin air. Unfortunately, Sir, such has been the case in regard to the Tangail D. N. Charitable Dispensary. I would only appeal to the Hon'ble Ministers to redeem their promise and to sanction a lump grant of Rs. 20,000 for the construction of surgical and maternity wards in the dispensary, and to help in equipping it with 40 male beds, 15 female beds and 5 special beds for delivery cases. The need for the addition of beds for delivery is so great that it is impossible for me to emphasise it in any more detail. I may only point out that mortality in respect of delivery cases in mufassal areas is growing apace year after year and relief is most urgently called for. It is, therefore, Sir, our minimum demand, and I hope and trust that this modest request of our subdivision would not be turned down. Sir, when promises are so often made for the welfare of rural areas, when crocodile tears are shed in abundance for the poor and the destitute, and when it is so loudly trumpeted that the rural areas are going to get a fair deal from the Ministry, let not the helpless people of Tangail feel that for them the main-spring of Ministerial generosity has dried up.

The Hon'ble Mr. TAMIZUDDIN KHAN: Mr. Speaker, Sir, several of the cut motions moved have been directed to the question that there should be at least one dispensary in each union. So far as Government is concerned, one dispensary at each union is the ideal which the Ministry would like to achieve, but how to do it?—that is the question. The present policy of Government, so far as rural dispensaries are concerned, has been very often stated here. It is this that if dispensaries are established and if they conform to certain conditions, then Government will in each case give the usual grant. This is a policy which the Government has been consistently following for several years, and no grant recommended by the local officers for

such dispensaries has been refused. Sir, that is a policy which, I think, under the circumstances, cannot but be said to be liberal in view of the finances at our disposal.

In this connection, Sir, I must also refer to the rural public health reorganisation scheme. Under that scheme it is intended that a treatment centre will be established in each area of two union boards and there will be at least two other subsidiary centres. If that scheme can be given effect to, I think my friend Mr. Giasuddin and others of his way of thinking will get more than one dispensary in each Union Board because in two Union Boards there will be one centre and at least two other subsidiary centres. I think, therefore, that what Government has been doing in respect of the establishment of rural dispensaries is quite adequate under present circumstances.

Mr. Giasuddin says that Government should now think of the villages and not of the towns only. Probably Mr. Giasuddin thinks that this is the first time, and on account of a piece of advice coming from him, that Government has directed its attention——

Maulvi ABU HOSSAIN SARKAR: It is not the first time. You yourself moved a motion when you were not a Minister, but an ordinary member.

The Hon'ble Mr. TAMIZUDDIN KHAN: When I spoke at that time, Sir, Government had not yet come to a decision as regards this policy of rural public health reorganisation. Since then Government has come to a decision that there should be one treatment centre in every two Union Boards and at least two other subsidiary centres in that area. That goes far beyond the proposition of my honourable friend.

Then, Sir, Mr. Surendra Nath Biswas, as usual, has directed his criticism towards everything that has been done in the Medical Department. He has said that a sum of Rs. 80,000 was provided in the budget for the Sadar hospitals in the current year, out of which only Rs. 10,000 has been spent. My friend is correct so far as his figures are concerned, but the grant has been repeated in the next year's Budget as on account of certain untoward circumstances the full amount could not be spent. Some schemes have matured, and it is expected that fresh grants will be given in respect of those schemes, but the entire money that has been provided in the coming year's Budget will be spent during the next year.

Then, Sir, my friend has said that nothing has been provided in the Budget for subdivisional hospitals. He says that I have said in my speech that money has been provided for the hospitals. Sir, I never said that money has been provided in the next year's Budget for the

subdivisional hospitals. I only said that a survey was being made and Government contemplates improvement of the subdivisional hospitals also to which Government attaches very great importance.

Then, Sir, Mr. Basu has referred to the Ayurvedic Faculty and he says that Government ought to have encouraged that Faculty by a suitable grant. Mr. Basu happens to be the President of the General Council and State Faculty of Ayurvedic Medicine and he is certainly aware that a large sum has accumulated in the hands of the Faculty and Council in spite of the extension of the staff and provision of increased pay for the staff. The Faculty, therefore, does not appear to be very much in need of additional funds. I may repeat here again that Government agreed to the establishment of the Faculty and the Council on the express condition that money for the additional expenditure was available from the provincial revenue. Nevertheless, a grant was provided in the coming year's Budget and I may further add that after the Unani and Homœopathic Faculties are established—I hope that they will be established very soon—Government will be prepared to consider on general principles the question of making grants to the Council where such grants are inevitably necessary and also at the same time the question of making grants to hospitals and schools having systems other than the western scientific systems of medicine. Mr. Basu has referred to the special difficulty on account of the coming elections of the Council. Sir, I think that if the Faculty is actually in financial difficulty on account of the elections the Hon'ble Minister in charge, if approached for a grant, will sympathetically consider any application to that effect. More than that I cannot say at this stage.

Sir, Mr. Chippendale has referred——

Mr. J. W. CHIPPENDALE: I did not move any motion. So, the Hon'ble Minister is not in order. (Laughter.)

The Hon'ble Mr. TAMIZUDDIN KHAN: He has referred to the grievances of nurses in the Medical College Hospitals. I admit, Sir, that the number of nurses in the Medical College Hospitals is far from adequate with the result that there is a considerable amount of strain on the existing staff. The House is aware that an additional staff of nurses has been appointed in the Medical College Hospitals under the auspices of the Calcutta Hospitals Nurses' Institution and it is the Government scheme and policy to make nursing adequate and up to the prescribed standard within a measurable distance of time. The profession of nursing is one of the noblest in the world as nurses are expected to put up with all kinds of difficulties that may come in their way in following their profession. I may inform the House that Government has a large scheme of improvement of nursing and training of Indian nurses in the Campbell Hospital which, it is hoped,

will result in a large number of Indian nurses being available for service not only to the patients of various hospitals in Calcutta but also to those in the hospitals in rural areas. I think, Sir, that these proposals will satisfy my friend Mr. Chippendale for the time being.

With these few words, Sir, I oppose the cut motions.

The motion of Mr. Surendra Nath Biswas that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Giasuddin Ahmed that the demand of Rs. 51,13,000 under the head "38—Medical" be reduced by Rs. 100 was then put and a division demanded.

(After the members had assembled.)

Mr. SPEAKER: I will adjourn the House immediately after the division is over. The members need not come soon after the division. They may come after the prayer. The result will be announced later.

The division was then taken with the following result:—

AYES—42.

Abdul Hakeem, Mr.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chaudhuri, Rai Harendra Nath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss, Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Rishitha Nath.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Nausher Ali, Mr. Syed.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Satanka Sekhar.
Shahedali, Mr.
Singha, Babu Kshetra Nath.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—100.

Abdul Aziz, Maulana Md.
Abdul Haffz, Mr. Mirza.
Abdul Haffz, Mr. Mia.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Karim, Mr.
Abdul Majid, Mr. Syed.
Abdulla-Al Mahmood, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rauf, Khan Bahadur Maulvi S.
Abdul Motaleb Malik, Dr.
Abdur Rauf, Khan Bahadur Shah.
Abdus Shahood, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Anwarul Azim, Khan Bahadur Md.

Aulad Hossain Khan, Khan Bahadur Maulvi.
Barat Ali, Mr. Md.
Basu, Mr. Jatindra Nath.
Bell-Hart, Miss P. B.
Chippendale, Mr. J. W.
Dass, Babu Debendra Nath.
Edgar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Hafizuddin Choudhuri, Maulvi.
Hasanuzzaman, Maulvi Md.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Heywood, Mr. Rogers.
Idris Ahmed Mia, Maulvi.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Saheb Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Miles, Mr. C. W.
Morgan, Mr. G., C.I.E.
Mozammel Huq, Maulvi Md.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerjea, Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Mukunda Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sanaullah, Dr.
Sarkar, Babu Madhusudan.
Sasseen, Mr. R. M.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sinclair, Mr. J. F.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Speller, Mr. J. H.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Whitehead, Mr. R. B.
Yousuf, Mirza.
Yusuf Ali Choudhury, Mr.

(At this stage the House was adjourned for 15 minutes.)

After Adjournment.

The Ayes being 42 and the Noes 100, the motion was lost.

The motion of the Hon'ble Mr. Tamizuddin Khan (on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca) that a sum of Rs. 51,13,000 be granted for expenditure under the head "38—Medical" was then put and agreed to.

39—Public Health.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, on the recommendation of His Excellency the Governor, I beg to move on behalf of the Hon'ble Nawab Bahadur of Dacca, Minister, Public Health and Local Self-Government, that a sum of Rs. 50,52,000 be granted for expenditure under the head "39—Public Health." The aggregate provision under this head of budget is Rs. 51,75,000 of which Rs. 1,23,000 is charged upon the provincial revenues.

A statement has already been placed before the honourable members of the House in which details have been explained in respect of the progressive policy adopted by the Ministry in the cause of health reform in various directions, and has also dwelt on the advances that have been made in recent years, especially during the year 1940-41.

In the year 1936-37 the actual expenditure on Public Health amounted to Rs. 34,28,000. The revised estimate for the current year stands at Rs. 42,90,000, and as will be seen, the provision for expenditure in the ensuing year's budget is Rs. 51,75,000. The details of the provisions made in the Public Health Budget for various schemes and projects have been shown briefly in the explanatory memorandum, the Red Book, and read with the statement which is a resume of the policy of the Ministry and main developments in the sphere of activities covered by the Ministry of Health should be sufficient to show that there has been signal development and improvement in many directions valuable in themselves and so conceived as to lay sound and broadbased foundations for further progress.

An explanation is perhaps necessary to the House on behalf of the Ministry for non-utilisation of the grants obtained from the Legislature for certain services, especially for re-organisation of rural public health services and control of malaria and leprosy.

Sir, the reasons have been explained in some details in the statement placed before the House why there has been delay in maturing certain schemes of health reform. When we think of developing and maturing schemes of Public Health service, we must include within our conception of it the sphere of the whole physical life of man and everything which affects it. Human knowledge and experience are to be brought to bear upon the great primary problem of personal and national survival. It is therefore essential that Government must step forward cautiously, in order that the schemes of various public health and social services should be prepared, drawn up and executed in a way which will ensure steady development, avoiding on the one side any over-elaboration unsuited to local conditions and on the other any false step which will jeopardise success of these schemes. They have therefore naturally taken time to be closely considered from all aspects in the light of local conditions and as far as the limited available finances permit. I trust that the honourable members will appreciate that progress on ordered lines can only be made in the several Public Health services gradually and as a long-term investment.

The principal schemes under active and earnest consideration of the department are (*a*) the scheme for Re-organisation of Rural Public Health Services, (*b*) Rural Water-supply Project, and (*c*) Comprehensive Schemes towards the control of Malaria, Tuberculosis and Leprosy. As has been made clear in the statement placed before the

House the Government have undertaken the responsibility of the capital expenditure involved in the provincial schemes for rural water-supply and a Special Officer is being immediately appointed to examine the provision in the light of the programmes already received from all the districts, through the District Boards, local officers and the various Water-Supply Committees. In regard to the scheme for reorganisation of Rural Health services, which has been under examination for a length of time, there are several outstanding points which have still to be surmounted, but then the Government have decided to go ahead as an experimental measure by launching the scheme in selected subdivisions and areas in districts which have passed resolutions to co-operate with the Government in working this project.

The House is aware that certain essential items of the anti-tuberculosis scheme on a provincial basis have already been taken up. In the ensuing year it has been decided to make a grant for establishment of Chest Clinics and Village Isolation Centres. Similarly in respect of Leprosy, provision has been made which will be supplemented as and when it may be necessary, towards the establishment of Leprosy Clinics which is the first step towards the solution of the problem of leprosy. The position as regards malaria and its solution has been explained at length in the statement circulated Ample provision has been made and Government have already taken action by appointing a Malaria Engineer to assist the local bodies to prepare and execute anti-malarial schemes with adequate aid from Government.

In conclusion I earnestly invite the co-operation of the honourable members of the Legislature in effectively solving the Public Health problems of this province. It will be realised that it may be many years before the nation can hope to see the full effect of the campaign for health reform that has been undertaken by the present Ministry, but the effect is already in course of being produced and we can hope with confidence that within a measurable distance of time the province shall be in a position, without hazard or caprice, to get the most out of the life of the citizens of Bengal, ensuring an acme of personal and national survival.

With these few words, Sir, I commend the motion for acceptance of the House.

Mr. SPEAKER: Before I take up the cut motions there are just one or two points to which I should like to refer. To-morrow will be the last day of the budget discussion and under the rules I have to fix the time when the budget discussion will be closed. I propose that to-morrow the House should meet at 10 a.m. and finish the business of the day at 12-30 p.m. and that the discussion should be closed at 11-30 a.m. when the guillotine will fall.

Then there is another point. The first budget item to be taken up to-morrow relates to Anglo-Indian and European education, and I think this item will take about half an hour. Immediately after that I propose to take up the grant under the head "Miscellaneous Departments" which includes labour questions. I hope the House will have no objection to that. All other items will take the rest of the time.

Mr. SASANKA SEKHAR SANYAL: Sir, I would suggest that first priority should be given to the "Miscellaneous Departments".

Mr. SPEAKER: Mr. Sanyal, I can give you this assurance that even if we take up Anglo-Indian and European Education first, we will have enough time for "Miscellaneous Departments" and the cut motions relating to labour matters. After that the guillotine will fall at 11-30 a.m.

Khan Bahadur Maulvi JALALUDDIN AHMAD: Sir, there are various other items in to-morrow's agenda of which "Forest" is very important. I would therefore request you to allot some time for the discussion of this important subject.

Mr. SPEAKER: I can assure you that if after disposal of the "Miscellaneous Departments" there is any time before the guillotine falls, that time will go to the "Forests".

Khan Bahadur Maulvi JALALUDDIN AHMAD: I am afraid, Sir, in that case no time will be left for "Forests".

Mr. SPEAKER: I can only assure you that whatever time is left will go to "Forests".

Maulvi ABDUL WAHED: Sir, I beg to move that the demand of Rs. 50,52,000 for expenditure under the head "39—Public Health" be reduced by Rs. 100. মাননীয় সভাপতি সাহেব, জনস্বাস্থ্যের উন্নতির জন্য যে ব্যয় বরাদ্দ হোয়েছে সে সম্বন্ধে কয়েকটি কথা বোলতে চাই, বিশেষ কোরে পল্লী অঞ্চলে বিশুদ্ধ পানীয় জল সম্বন্ধে কয়েকটি কথা বোলতে চাই। বাংলার পল্লীবাসী জনসাধারণ একেত ভাতের অভাবে কষ্ট পায়; তদুপরি অত্যন্ত প্রয়োজনীয় যে পানীয় জল তার অভাবেও অত্যন্ত অসুবিধা ভোগ করে। গভর্ণমেণ্টের সেদিকে দৃষ্টি আকর্ষণ করবার জন্য আমি এই প্রস্তাব উপস্থিত কোরছি। চার বৎসর অতিবাহিত হোয়ে গেছে, পঞ্চম বৎসর চোলছে। ইতিমধ্যে বাংলা সরকার জনসাধারণের স্বাস্থ্যের উন্নতির জন্য কতটুকু কাজ কোরেছেন এবং সেই কাজের দ্বারা বাংলার জনসাধারণ কতটুকু উপকৃত হোয়েছে তার হিসাব নিকাশের দিন সামনে আসছে। বাংলা সরকার প্রতি ৪ শত লোকের ভেতর একটি

কোরে নলকূপ স্থাপন কোরবেন এই ধরণের কার্য্যতালিকা উপস্থিত কোরেছিলেন। বাংলা গভর্ণমেণ্টের কার্য্যদ্বারা চাষী মজুর জনসাধারণের কতটুকু উপকার হোয়েছে সেই সম্বন্ধেই আমি বোলব। আমরা দেখতে পাই ইউনিয়ন বোর্ড থেকে, লোকাল বোর্ড থেকে বা ডিষ্ট্রীক্ট বোর্ড থেকে যখন কোন, পানীয় জলের ব্যবস্থা হয়, যখন কোন নলকূপ বসাবার ব্যবস্থা হয়, তখন সেগুলি এমন বড়লোকের বাড়ীতে দেওয়া হয় যাদের বাড়ীর অদূরে ভাল পানীয় জল রোয়েছে। তারপর গভর্ণমেণ্ট থেকে যে সব সামান্য নলকূপের ব্যবস্থা হোয়েছে তাও বিশেষ কোরে ঐ সব লোকের বাড়ীতেই করা হোয়েছে। কোন এক ইউনিয়ন বোর্ডের প্রেসিডেণ্টের বাড়ীতে পরিষ্কার ইন্দারা থাকা সত্তেও সেখানে নলকূপ বসাবার কালে জনসাধারণের যখন আপত্তি হোল তখন বলা হোল তিনি গভর্ণমেণ্ট থেকে পুরস্কৃত হোয়েছেন। এইরূপ শত শত দৃষ্টান্ত আছে। পরিষদের সদস্যরা যদি চোখ খুলে দেখেন তাহোলে এরূপ দৃষ্টান্ত অনেক দেখতে পাবেন। অনেক স্থলেই যাদের বাড়ীতে উপযুক্ত পানীয় জলের ব্যবস্থা আছে সেখানেও Tubewell এর ব্যবস্থা হোয়েছে। অথচ দরিদ্র জনসাধারণ যারা দুবেলা দুমুঠা ভাত পায় না তারা পানীয় জলের অভাবেই কষ্ট পাচ্ছে।

মাননীয় সভাপতি সাহেব, গত নির্ব্বাচনের সময় আমি এবং আমার যিনি প্রতিদ্বন্দী ছিলেন উভয়ে এক জনসভায় বক্তৃতা করিয়াছিলাম। উভয় পক্ষের বক্তৃতা শোনার পর জনসাধারণ থেকে প্রশ্ন হোল ডিষ্ট্রীক্ট বোর্ড থেকে যে সমস্ত নলকূপ দেওয়া হয় সেগুলি কেন বড়লোকদের বাড়ীতে দেওয়া হয়। তার উত্তরে আমি বোলেছিলাম যে বাংলাদেশের শতকরা ৭৫ জন চাষী মজুর সাধারণ লোক আর শতকরা ২৫ জন অসাধারণ লোক অর্থাৎ বড়লোক। এই সব সাধারণ লোকদের পানীয় জলের ব্যবস্থা করা হয় না যাতে তারা ভিটামাটি ছেড়ে আসামের জঙ্গলে চোলে যেতে পারে। আর বড়লোকদের হাত কোরে ভোট পাওয়া যায় সেই জন্য তাদের সন্তুষ্ট রাখবার জন্য তাদের বাড়ীতে নলকূপ দেওয়া হয়। এই কথা শুনে তারা বোলেছিল তা সত্যি কথা। গরীব জনসাধারণ দিনের পর দিন উপাস করে অথচ স্বাস্থ্যরক্ষার যে প্রধান জিনিষ পানীয় জল, সেই পানীয় জল তারা পায় না। তা পাওয়ার সুবিধা নেই। তাদের জ্ঞান নেই, তাদের জীবন অন্ধকারাচ্ছন্ন। গরীবের মা বাপ গভর্ণমেণ্টের এদিকে দৃষ্টি আকর্ষণ কোরছি, গরীবের দিকে একটু চোখ খুলে দেখুন। বাংলাদেশের ডিষ্ট্রীক্ট বোর্ড, লোকাল বোর্ড এবং ইউনিয়ন বোর্ডের তরফ থেকে এবং বাংলা সরকারের পক্ষ থেকে যে সমস্ত পানীয় জলের ব্যবস্থা করা হোয়েছে সেগুলি কি রকম ভাবে করা হোয়েছে—যাদের দরকার তাদের সুবিধার জন্য করা হোয়েছে না যাদের দরকার ছিল না তাদের জন্য করা হোয়েছে—এই দিকে আমি গভর্ণমেণ্টের দৃষ্টি আকর্ষণ কোরছি; এবং প্রতিকার পাবার দাবী কোরে এই প্রস্তাব উপস্থিত কোরছি।

Miss P. B. BELL-HART: Mr. Speaker, Sir, I rise to ask that Government should extend health services to all the rural areas, particularly maternity and health services.

Working on the outskirts of Calcutta, a day does not pass, but I see the most appalling results of the efforts of the untrained *dai*. Their patients are left martyrs to pain and ill health which saps their vitality and makes them prey to intercurrent infectious diseases. I also occasionally come across *dais* using most barbarous methods at child birth—methods that were used in the west in the 15th and 16th centuries and long since stamped out. That these most ancient barbaric methods are still practised in Bengal is most shameful in these days of enlightenment, and further I know these methods still persist in the rural areas—a most appalling state of affairs.

I am aware that Government have opened some health centres, which cost a great deal of money and just touch the fringe of the problem. It will take years and years before these health centres can be spread all over Bengal and more time before they are working to maximum efficiency. I suggest especially in the present financial stringency, that Government start work from the other end of the scale.

These *dais* should be registered and not allowed to practise till they are adequately trained. I know that local municipalities are compelled to train their *dais*. In practice this training consists of generally a dozen lectures by a man doctor and what happens after this training is a matter of indifference. These *dais* should be given at least a three months' practical training in a maternity ward under a qualified health visitor or woman doctor and subsequently their work must be supervised and checked. This type of *dai* should be able to sow the seeds of healthy propaganda and when funds permit midwives and a health visitor at a health centre should be the next step and this kind of health unit having the confidence of the people will be of great service and can later expand in other directions.

Mr. K. A. HAMILTON: Mr. Speaker, Sir, I would like to say a few words on the main motion. The Public Health Department should rank with the Education Department as the most important of the nation-building departments and we naturally look for progress in its work and development.

We find, however, that while the amount of the grant has increased from year to year there is little evidence from statistics available that there has been any real progress in the prevention of disease or in the improvement of living conditions. This, I think, is not entirely the fault of the department. Decentralisation of the Public Health organisation in Bengal has been carried out to such an extent that the department has little or no power to control the Public Health organisation, and the organisation is completely under the control of the local bodies. (A voice from the Coalition Benches: Question!) The result is that the Director of Public Health is little more than a

pay master. For example he disburses every year to the local bodies Rs. 11½ lakhs to pay for the staff of the existing rural Public Health units and in addition for one-half of the salary and allowances of the District Health Officers. He has, however, no control over this staff which is employed and controlled entirely by the local bodies.

This inevitably makes co-ordination and long range planning very difficult. What is more, it does not give the staff that security of service which is essential for effective work. Very often they feel dependent on one or two members of the local bodies and their action or inaction is determined by the wishes of these members. In no other Province has the process of decentralisation been carried so far as it has been in Bengal. In Madras the Public Health staff was deprovincialised some time ago at the instance of the Justice Party. When the Congress Party came into power they consolidated the position and gave statutory powers to the Public Health officers. The Public Health staff have also been provincialised in the Punjab and the United Provinces.

The department has a small inspecting staff, but it can do little more than visit the District Headquarters. The position is illustrated by the quinine and rural water-supply grants. The grant for distribution of free quinine has increased from Rs. 1,40,000 to Rs. 5 lakhs and for 1941-42 is Rs. 6 lakhs. Quinine is, however, distributed free of charge to local bodies and there is no check over its distribution by the local bodies. (A voice from the Coalition Benches: Question!) No records are kept by the local bodies of how the quinine is distributed. As from 1940-41 the quinine has been allocated to the District Magistrates for distribution instead of to the District Boards, so some improvement in this respect may be expected.

The grant for rural water-supply in 1940-41 was Rs. 7½ lakhs and this year it has been increased to Rs. 10 lakhs. This money, Sir, is distributed to the local bodies for expenditure on sinking tube-wells according to schemes submitted by the Subdivisional Water-Supply Committees and approved. There is, however, no supervision of the tube-wells after they are sunk and in many cases small defects, such as a missing nut or bolt, are allowed to go unrepaired resulting in no water being available.

Another difficulty for the department is that the vital statistics are kept by the Union Board clerks, and as a result are often delayed. Bengal is the last province to submit its report to the Public Health Commissioner. The most recent report is for the year 1938.

The department's proposal, Sir, for remedying the situation is a reorganisation of the rural Public Services under which the staff will be provincialised and increased and the size of the Public Health units reduced. The present Public Health unit is the thana covering an area of, on an average, approximately 100 square miles and the staff

consists of one Sanitary Inspector and a Health Assistant. This area is obviously too large for a single Sanitary Inspector and Health Assistant to carry out all the required Public Health work in the area effectively.

The new Public Health unit will consist of two Unions which will be in charge of a Rural Medical Officer of Health and two Health Assistants. There will be a treatment centre in a central position between the two Unions, and also school medical relief centres within the Unions.

It is obvious that such a radical proposal requires very careful consideration—many difficulties may arise, particularly in working out the relationship between the staff and the local bodies and the contribution that is to be made by the local bodies to the scheme. The selection of the situation for the treatment centre may also give rise to difficulties. We are, however, of opinion that some change towards central control and supervision over the Public Health staff is necessary, and we therefore support the proposal that this scheme should be tried out experimentally in a selected area. I understand that the Sanitary Inspectors will also be provincialised, and I hope that some provision will be made for a training course for these officers.

The problem of the prevention of malaria overshadows all other public health problems. The department some time ago realised that it was no use simply doling out quinine and small grants without taking any permanent measures to improve the conditions that cause malaria. In 1936 the department called upon districts to submit anti-malaria schemes, but the District Boards were slow in doing this and in 1938 many of the District Boards had still not even submitted any schemes. An anti-malaria Engineer has been appointed, whose duty it will be to scrutinise the schemes and give assistance and supervision in carrying them out. The Engineer was appointed about a year ago, but mystery surrounds his staff, and I would like to know what subordinate staff he has been given. Most of the District Board schemes have, I understand, now come in, but it is obvious, Sir, that this man, even if he were gifted with the wisdom of Solomon, can do little without any staff.

One of the factors contributing to the heavy malaria incidence is housing conditions. The Director of Public Health, in his report for 1938, has drawn attention to the fact that the vast majority of the municipalities have not even adopted suitable bye-laws for buildings, let alone for planning their towns. He states that out of 118 municipalities, excluding Calcutta, only 19 have framed bye-laws and promulgated them. In answer to enquiries no less than 31 municipalities replied that they were not willing to frame building bye-laws. This leads to haphazard construction of houses with no regard to adequate ventilation, damp-proofing, outlet for smoke from

kitchens, and proper drainage. In the rural area where 47 millions of people live, housing conditions are, of course, much worse. This is a most unsatisfactory position and I hope the department will continue to exert pressure on the municipalities, at least to adopt suitable building bye-laws. This is a point on which the honourable members can also help to exert pressure on the municipalities.

Before concluding, Sir, I would like to touch upon a very old chestnut—the subject of the Tollygunge protective embankment. Year after year a provision of Rs. 75,000 is voted for this embankment and year after year it remains unspent. In the meantime the inhabitants of this area, which extends to approximately 12 square miles and is virtually upon the doorstep of Calcutta, suffer the most intolerable conditions. If the Monsoon is heavy this year, this area will be flooded and remain under water for approximately five months of the year. This year we are again voting the provision of Rs. 75,000 and I would like to have the Hon'ble Minister's assurance that the money will be used and some progress made with the scheme.

Mr. CHARU CHANDRA ROY: Sir, I beg to move that the demand of Rs. 50,52,000 for expenditure under the head "39—Public Health" be reduced by Rs. 100. Sir, the purpose of my motion is for raising a discussion about not making arrangement for supplying a trained midwife to every union in Bengal and the policy of spending more money for buildings of dispensaries and hospitals than spending for the medicines and qualified medical officers.

Mr. Speaker, Sir, বাংলাদেশে প্রত্যেক গ্রামে গ্রামে শিশু মৃত্যুর হার এবং শিশু জন্মাবার সময় প্রসূতি মৃত্যুহার ক্রমশঃ বেড়ে যাচ্ছে। ১৯৩৮ সনের Reportএ দেখা যায় বাংলাদেশে শিশু মৃত্যুর হার বেড়ে গেছে। দুঃখের বিষয় ১৯৪০ সনের রিপোর্টত দূরের কথা ১৯৩৯ সনের Public Health Reportএ পর্য্যন্ত আমরা পাই নাই, এবং এই Assembly Libraryতেও আসে নাই। গভর্ণমেণ্টের কাছে Maternity Scheme, Child Welfare Scheme, Rural Health Welfare Scheme প্রভৃতি মুখভরা বুকভরা গালভরা নাম বিস্তর পাই। কিন্তু দেখা যায় এই scheme গুলিকে কার্য্যকরী করার সময় বলা হয় অর্দ্ধেক টাকা তোমরা দাও বাকী অর্দ্ধেক টাকা আমরা দেব। অর্থাৎ যখন আমাদের তৃষ্ণায় ছাতি ফেটে যায়, গলা শুকিয়ে যায়—যখন আমরা চাই জল তখন গভর্ণমেণ্ট বলেন জল কেন, তোমাদের সরবৎ দেব। সরবতের দাম দুআনা। তোমরা ছ পয়সা দাম দাও, আমরা দু পয়সা দিচ্ছি। জল আমরা পাই না।

আজ বাংলার গ্রামে শিক্ষিত দাই না থাকার দরুণ যা অসুবিধা হোচ্ছে সেটা Public Health Department Child welfare এবং Maternity welfare এর নাম দিয়ে কাটিয়ে দিচ্ছেন। এ সম্বন্ধে গভর্ণমেণ্ট বোলছেন তোমরা কিছু টাকা দাও তাহোলে আমরাও কিছু দিচ্ছি এবং এই টাকায় welfare centre খোলা যাক্। যদি centre খোলবার মত টাকা দরিদ্র পল্লীবাসীর থাকত তাহোলে তারা গভর্ণমেণ্টের কাছে

আসতো না কারণ তারা জানে বহু দরবার করিয়া শেষ পাওয়া যাইবে কি না তাহার স্থিরতা নাই। ইউনিয়ন বোর্ডগুলির উপর চাপ দেওয়া হোচ্ছে তোমরা টাকা দাও আমরা centre খুলি। ইউনিয়ন বোর্ডগুলি যে টাকা তোলে তার ১৪ আনা যায় চৌকিদার দফাদারদের বেতনে। বাকী টাকাটা ইউনিয়নের যৎসামান্য কাজেই শেষ হোয়ে যায়। Public Health সম্বন্ধে কাজ করবার ক্ষমতা Union Boardএর নেই। যদি আদায়ী পথকরের (cess) অর্দ্ধেক টাকা Union Boardগুলির ব্যয়ের জন্য দেওয়া হইত তবু এক কথা ছিল।

Public Health Departmentএ অনুষ্ঠানের ত্রুটি নেই। সেখানে Civil Surgeon, District Health Officer, Sanitary Inspector, Assistant Sanitary Inspector প্রভৃতি নানা রকম officer আছেন। কেবল ত্রুটি স্বাস্থ্য সম্বন্ধে মনোনিবেশ। আজ পাড়াগাঁয়ে সামান্য Bleaching Powder, Izol অথবা Phenyle চাইতে গেলে পাওয়া যায় না। এই ভাবে Sanitary Departmentএর কাজ চোলেছে। আমার বলবার বিষয় হোচ্ছে প্রসূতি মৃত্যুর হার এবং শিশু মৃত্যুর হার যেভাবে বেড়ে চোলেছে (জানি না এবারের Census Reportএ কি দেখা যাবে) তাতে দেশ এবং জাতি ধ্বংসের পথে দিন দিন এগিয়ে চোলেছে। তাই আমি motion এনেছি যে প্রত্যেক ইউনিয়নে একজন কোরে শিক্ষিত দাই দেওয়া হোক এবং সেখানে এই দাইরা যাতে আরও দাই train কোরে নিতে পাবে তার ব্যবস্থা করা হোক। আর একটা বিষয়ের প্রতি আমি দৃষ্টি আকর্ষণ কোরছি। Governmentএর policy হোচ্ছে ১০।১২ লক্ষ টাকা খরচ কোরে হাসপাতালের জন্য বড় বড় Building কোরতে হবে, তার পরে তার ভিতরে কি থাকবে না থাকবে পরের কথা। "আগে দর্শনধারী পিছে গুণ বিচারি"।

এই সমস্ত idea আমি হৃদয়ঙ্গম কোর্ত্তে পারি না। দরিদ্র দেশে দরিদ্রের মত হাসপাতাল Building থাকবে, কিন্তু সেখানে থাকবে সুচিকিৎসার ব্যবস্থা, ভাল ভাল ডাক্তার, দাই, ইত্যাদি। এইটাই গভর্ণমেণ্টের নীতি হওয়া উচিৎ। তা না কোরে কেবল Building এবং সাজ সরঞ্জামে অযথা অর্থ ব্যয় কোরে ঔষধপত্র এবং শিক্ষিত ডাক্তারের বেলায় ব্যয় সঙ্কোচ করার কোন অর্থ হয় না। এই কথা বোলে আমি আমার motion আপনাদের সামনে উপস্থিত কোরছি। আমি আশা করি গভর্ণমেণ্ট ইহা সমর্থন কোরবেন এবং যাতে পল্লীমাতারা গভর্ণমেণ্টের কাছে সাহায্য পান তার সুব্যবস্থা কোরবেন।

Mr. MIRZA ABDUL HAFIZ: Sir, at this particular stage without moving the cut motion that stands in my name I want to make a general speech on this subject.

Sir, we find in the Revised Estimate for 1940-41 a provision of about 43 lakhs under the head "Public Health" but the budgeted amount under the same head for the year 1941-42 is shown as about 52 lakhs. This increase of about 9 lakhs may undoubtedly be spent on nation-building activities. But can it give us full satisfaction if

we see by the end of the coming year that this additional amount of Rs. 9 lakhs has remained unspent? Such has been the case last year. The Public Health Budget Estimate for the year 1940-41 was about Rs. 48½ lakhs while the Revised Estimate for the same year is about Rs. 43 lakhs, i.e., 5½ lakhs less. I am afraid, this happened perhaps for want of some schemes or for the negligence of the department. Because if the estimated amount is not spent while the country suffers from want of quinine, free vaccination, proper facilities for treatment of kala-azar, dysentery, cholera and small-pox, I believe, it would be nothing less than criminal negligence on the part of Government not to spend the amount that is provided for in the Budget due to the absence of any comprehensive scheme for water-supply and medical treatment for the rural people. Of course, Government prepared a scheme for the reorganisation of Public Health services, but so far as I know, Government have not up till now been able to put it into operation. So far as I know in some places the local bodies, viz., the district boards, local boards and union boards, are doing their best in their respective spheres in this direction but due to want of funds they cannot proceed further. I fully appreciate their activities in this direction and do not discourage them, but my point is this that some suitable method, particularly from an economic point of view, on co-operative basis should be formulated which can be practically given effect to in every place so far as public health activity is concerned, otherwise it is bound to fail.

Next, Sir, our poor village people are almost everywhere seriously suffering from want of good drinking water. Of course it is true that the present popular Ministry being supported, encouraged and consulted by the Coalition Party has adopted and formulated a rural water-supply scheme and estimated for this purpose over Rs. 10 lakhs besides some minor schemes involving several lakhs of rupees for the year 1941-42. My suggestion is that for every 300 villagers a tube-well or F. C. well or masonry well should be sunk in the rural areas. It is interesting with great hope to mark the earnestness of the Government to see the budget estimate for 1941-42 as follows:—

	Rs.
Free distribution of quinine	... 6,00,000
Grants for anti-malaria	... 2,60,000
Kala-azar charges	... 1,25,000
Vaccination purposes	... 1,01,000
Rural Public Health units	... 11,50,000
Maternity and child welfare, etc.	... 85,000

By this we find the earnestness and sincerity of the Government.

Sir, in conclusion, we press for more money to work out the well thought-out scheme of rural water-supply and for combating the epidemic diseases, namely, cholera, small-pox, malaria, kala-azar, tuberculosis, leprosy, dysentery, etc., in a comprehensive scale throughout the province, and we ask for definite assurance from Government to the effect that Government would fight tooth and nail for these purposes.

With this, Sir, I resume my seat.

Miss MIRA DUTTA GUPTA: Mr. Speaker, Sir, in supporting the present cut motion I shall endeavour as briefly as possible to draw the attention of the House to one of the most vital and yet one of the most neglected problems of this province. Sir, I refer to the problem of infant and maternal mortality.

The platitudes of the Hon'ble Ministers about their nation-building activities have utterly failed to impress us. You cannot forget the lot of the mother and child and yet talk seriously about nation-building. Mr. Speaker, the figures for infantile and maternal mortality at the time of child-birth in this province present a picture which is most appalling.

It is not difficult, Sir, to appreciate that a nation which allows its mothers and infants to die in increasing numbers has no future to build. Such a nation digs its own grave.

But where shall we lay the blame for this state of affairs? Before we answer that question let me draw the attention of the House to a few charts published in the annual reports of the Director of Public Health, Bengal. One chart shows that trend of infant mortality in the province. It reveals that between 1936 and 1938 infant mortality in Bengal went up by leaps and bounds. Another chart shows the incidence of infant mortality by districts. This chart shows that in 1936 in at least 3 districts of Bengal, out of every five new-born babies one died; in four districts in 1937 and in seven districts in 1938. A third chart marks out the "black" districts showing increase in infantile mortality over a ten-year average. The number of such black districts in Bengal was six in 1936, eleven in 1937 and fourteen in 1938. Unfortunately, the Public Health Reports for 1939 and 1940 are not available as yet. However, the record of the first two years of the present Ministry is enough to establish beyond doubt the utter indifference of the Ministry to adopting measures likely to bring down infantile mortality in the province.

Disease and death know no communal discrimination. Hindus and Muslims are being equally visited with the sins of the present Ministry. I wish those of our Muslim friends who imagine that this Ministry has brought salvation to Muslims, were aware of the fact that more

than half the babies dying in this province in the first year of their life are born of Muslim parents. I wish them also to know that every fifth Muslim baby died in 1938 as against every sixth in 1936. Sacrifice of one or more life out of every six born—this is the record of the present Ministry.

Sir, the fact that statistics on this subject are meagre and incomplete shows in itself the utter lack of interest of the Ministry in the lot of the unfortunate mother in this province of Bengal who in giving birth to one life sacrifices her own and having given birth to a child loses it in course of the year.

Official reports show that the death-rate from maternal causes has been on the increase from year to year. Maternity has turned out to be a curse and more so under the present Government.

The blackest spots in regard to maternal and infantile mortality are the rural areas. In other words, Bengal is mercilessly sacrificing her poorest mothers who are dying in increasing numbers unattended and uncared for.

Sir, what has the present Ministry done to stop this indiscriminate "slaughter of the innocents"? Although infant mortality and maternal mortality have been increasing at an alarming rate, the Ministry found no reason for increasing the grant for the training of "*dais*" during the first three years of this so-called popular Government. The grant on this account was a paltry sum of Rs. 15,000 in 1936-37 and it remained so in 1938-39. We do not know if better sense prevailed with our Ministers in the following years. For the poor mothers of Bengal the services of midwives were probably considered by the Government to be a luxury. We, therefore, find in 1938, an allocation for 61 trained midwives for urban areas and only 22 for rural areas. Lest I should be accused of being unduly critical of the Government, let me quote the Director of Public Health who wrote in his report for 1938 in the following terms:—

> "Excepting the training of indigenous *dais* as stated above the local Government's part of maternity and child welfare work has so far been negligible."

The same Director sounded a warning in 1936:

> "It is a very serious matter indeed and reflects no credit on the community which allows this huge number of deaths amongst its mothers."

I find that our "popular" Ministers missed this warning completely. Is it because that the Ministers have neither the time nor the inclination to read the reports of their executives? If that be so, the House should put a stop to the unnecessary wastage of public money

We may be told, Sir, that since 1939-40 an additional sum of Rs. 50,000 has been provided for the extension of maternal and child welfare work. Can anyone seriously suggest that this paltry sum will help to check the rising curve of infant and maternal mortality? What we need is the provision of adequate medical aid at the time of delivery in every remote corner of the province and not a welfare centre here and a welfare centre there.

The reason for such callousness of the Ministry to this tragic waste of human material is not far to seek. It is the natural consequence of the people at large but is really interested in keeping itself in power by extending its patronage to its few noisy supporters and creating new positions of power and profit for such supporters out of public funds.

Sir, comparisons are a tragic experience for a subject nation but they certainly are instructive. Now, the general death rate of India is more than twice the death rate of England, infant mortality in India is nearly four times the infant mortality in England and maternal mortality in India is nearly ten times the maternal mortality in England. This is the sad spectacle of unhappy India under British rule entrenched firmly with the support of a section of our own people.

Sir, this tragedy of waste of human lives is reflected in a gradual decline in the rate of natural increase of the population of the province, which was reduced from 10 per *mille* in 1935 to only 4 per *mille* in 1938. Yet, Sir, in spite of this alarming situation the Ministry has thought fit to make additional grants to the police and its whole apparatus of oppression of the people. Compare, for instance, an increased grant of one lakh of rupees for the training and comfort of the police force with the paltry sum of Rs. 15,000 allocated for the training of "*dais*" to help the mothers and babies of the province.

Sir, I am constrained to say that the present Ministry is utterly indifferent to the welfare of the mothers and babies of this province. By its own inglorious record this Ministry stands thoroughly condemned before the people of Bengal and before the people of India.

With these words, Sir, I support the motion.

Mr. ATUL CHANDRA KUMAR: Sir, I oppose the main demand on one ground only. Only a few minutes ago while giving a reply to the debate on the medical demand, the Hon'ble Minister gave us an outline of a very good rural scheme—the scheme of Director of Public Health for reorganisation of Rural Public Health Services—in which he said "We shall have one medical officer for two Union Boards and practically we shall have 3 dispensaries in two Union Boards. You want one dispensary for each Union Board. Now you will have 3 dispensaries for two Union Boards". What a generous offer? Let us

see what this offer is like. They are going to supply *dais* on Rs. 5 per month. Can you imagine that a *dai* will work for you for two Unions on Rs. 5 a month? Then they are going to supply one sweeper for each Union centre. He will be paid Rs. 4 a month. The deplorable proposals for the abolition of kala-azar centres and the post of vaccinators are not justified. The scheme is not sound from the financial and administrative point of view inasmuch as the proposed burden on the Union Boards will be too much for them. They are going to sanction only Rs. 120 for each proposed dispensary and Union Board is asked to pay on an average Rs. 422. The income of the Union Boards under section 37(B) of the Village Self-Government Act does not exceed Rs. 16,50,000 whereas they are to supply Rs. 21,10,000 for this mad and nonsensical scheme. This scheme has been condemned by almost all the District Boards save and except the District Boards which are under the influence of this Ministry and they want to abolish the existing posts of Sanitary Inspectors to provide for their own. I said the other day while discussing the general Budget that this is not a rural scheme but an electioneering scheme. The Mymensingh District Board was of opinion "that existing cheaper type of dispensary would be more useful to the public than the proposed centre while the Civil Surgeon thought that no medical man would think of combining preventive and curative measures as outlined in the scheme. The Board do not accept the scheme in its present form." I am not going to advocate the abolition of the posts of Sanitary Inspectors though they all worked against us and worked for the election of the Chairman. I am not going to advocate their cause either but I want to criticise this scheme which I must say is a mad and nonsensical scheme. I want to know from the Hon'ble Minister whether the existing dispensaries will be abolished or whether the existing grant given to rural dispensaries will be maintained and whether the duties prescribed for the Rural Medical Officer of Health for two Union Boards are not too heavy. He shall have to attend the main treatment centres every day in the morning and sub-centres in the afternoon. Take this extreme case of one corner of one Union Board and the other far corner of another Union Board. The distance between the two corners will be 8 or 10 miles. He will have to attend one corner in the morning and he will have to walk 8 or 10 miles for the purpose of attending another centre in the afternoon. Is that possible for any human being? Then, Sir, health education in schools, school medical inspection and medical relief in schools, *dai* training, discovery of social diseases are some of the features of the 31 items of prescribed duties of the Rural Medical Officer of Health. He will have to discover as well as cure diseases. I want to know from the Hon'ble Minister who is to-day in charge of this department which is a very important department about the absence of any provision for qualified compounders to assist the rural medical

officer of health in running the dispensaries and clinics. The *chaprasis* who are serving under Sanitary Inspectors will probably be called health assistants and persons who are known as *thikadars* and assistant vaccinators will probably be asked to occupy the post of compounders.

Another defect is the exclusion of the areas where Union Boards have not yet been established from the calculation of the estimated cost. I think the honourable members are aware, I don't know if they are aware, that there are some areas where there are no Union Boards especially in the districts of Malda, Dinajpur and other places where aboriginals are in large numbers. There are no Union Boards in those areas and they are totally excluded from this scheme. Many Union Boards, 7 or 8, under a District Board Chairman have condemned it. The Commissioners met at Jalpaiguri and they also condemned it. I have no time to criticise the scheme. Mr. Speaker, if you had been kind enough to allow me five minues time, I would have shown that it is a nonsensical and mad scheme. I want to have definite answers from the Hon'ble Minister whether the existing dispensaries are going to be abolished or are going to be retained; whether the people are going to get any better benefit or they are going to be allowed to see only some mixture-bottles in three centres under one medical officer and whether the existing Sanitary Inspectors are going to be provided for or are going to be dispensed with.

Khan Sahib Maulvi JASIMUDDIN AHMAD : মাননীয় সভাপতি সাহেব, আমার আগে যে European বন্ধু Rural Public Health re-organisation scheme সম্বন্ধে যা বলে গিয়েছেন সেই সকল কথা একেবারে অক্ষরে অক্ষরে আমি পূর্ব্বেই Director of Public Health, Dr. Chatterjeeর কাছে শুনেছি। এ নূতন কথা নয়। এই সকল কথা District Boardএর Chairmenএর Conferenceএ বলা হোয়েছে। এবং এই রকম ভাবে schemeও তৈরী হোচ্ছে, সেই scheme District Boardএর কাজে লাগান হবে। প্রথম যখন Dr. Bently scheme করেন তখন সাড়ে এগার লক্ষ টাকা বাংলা দেশে Public Healthএর উন্নতির জন্য District Boardগুলির হাতে দেওয়া হোয়েছিল। কিন্তু এখন যখন দেখা যায় যে District Boardগুলি সেই scheme অনুসারে কাজ করে নি, তারা কাজে neglect করেছে, তখন আমার European বন্ধু বোলছেন যে Government যদি নিজের হাতে এই সমস্ত কাজ চালান তাহ'লে ফল ভাল হবে এবং এখন যা কাজ হোচ্ছে তার চেয়েও বেশী কাজ পাওয়া যাবে। District Board সম্বন্ধে আমার European বন্ধু যা বোলেছেন আমি তার সম্পূর্ণ বিরোধিতা কোরছি। তিনি সমস্ত District Boardগুলির কার্য্যকলাপ না জেনে কেবলমাত্র এক তরফা এ সম্বন্ধে বলে গিয়েছেন। Anti-Malaria scheme পূর্ব্বে যেভাবে পরিচালিত হোত তার কোন পদ্ধতি ছিল না। কতকগুলি স্থানে কচুগাছ কাটবার জন্য এবং বনজঙ্গল পরিষ্কার করবার জন্য

টাকা দেওয়া হোত। এখন District Boardগুলি গভর্ণমেণ্টের নিয়ম অনুসারে Quinine বিতরণ করে। এই District Boardগুলি গভর্ণমেণ্টের নিয়মের বাহিরে কাজ করেন বলে মনে করি না। Quinine বিতরণের যে ব্যবস্থা আছে তাহা উন্নতি সাপেক্ষ বটে কিন্তু এই নীতিকে ব্যত্যয় করে চলবার জন্য District Boardকে দায়ী করা অন্যায়। গভর্ণমেণ্ট যখন Anti-Malaria schemeএর জন্য Local bodiesদের কাছ থেকে scheme চেয়েছিলেন, তখন আমার European বন্ধু বোলেছেন অনেকেই scheme দেননি। আমি জিজ্ঞাসা করি ২৪-পরগণায় ২৬টি মিউনিসিপ্যালিটি আছে এবং তাহার মধ্যে দশ বার জন European Chairmen, তাঁরা কেন এই scheme দেন নাই তা বুঝতে পারি না। দোষ যদি থাকে ত সকলেরই দোষ আছে। গভর্ণমেণ্টের policy যদি হয় decentralisation তাহলে আমরা কি করতে পারি।

গভর্ণমেণ্টএর নূতন নিয়ম অনুসারে এগার লক্ষ টাকা বাগ কোরে Anti-Malaria scheme undertake করা হবে। যদি এই টাকাটা District Boardএর হাত দিয়ে খরচ করা হয় তাহলে এর চেয়ে কম কাজ হবে বলে আমি বিশ্বাস করি না। কেবলমাত্র District Boardএর নামে অযথা দোষ দিয়ে তাদের হাত থেকে ক্ষমতা কেড়ে নেবার ব্যবস্থা হোচ্ছে এবং পরোক্ষভাবে তাদের উপর দোষ নিক্ষেপ করবার চেষ্টা হোচ্ছে। ধরুণ যখন একটা রাস্তা District Boardএর হাতে ছিল সেটাকে মেরামত করবার জন্য পাঁচ শ টাকা খরচ করা হোয়েছিল, আর গভর্ণমেণ্টের হাতে আসার পর পঁচিশ হাজার টাকা খরচ করা হোয়েছে। এখন বলা হোচ্ছে গভর্ণমেণ্টের হাতে আসার দরুণ এত উন্নতি হোয়েছে, কিন্তু সঙ্গে সঙ্গে এটা দেখান হয় নাই District Boardএর আমলে এই রাস্তার জন্য কত কম টাকা খরচ করা হোয়েছিল, আর গভর্ণমেণ্টের আমলে কত বেশী খরচ হোয়েছে। এমনি ভাবে সমানে সমানে বিচার করা উচিত। নূতন যে schemeএর কথা হোয়েছে তাহা এখনও officially sanction হয় নি। সেটা Director of Public Healthএর scheme, Governmentএর scheme নয়। কাজেই এখন এর উপর বেশী মন্তব্য করা উচিত হবে না।

The Hon'ble Mr. TAMIZUDDIN KHAN: Mr. Speaker, Sir, I shall try to deal with the motions seriatim. First of all, Maulvi Abdul Wahed Bokainagari has complained that so far as the water-supply policy of Government is concerned, it has two defects. One defect is that sufficient money is not provided, and the second defect is that whatever money is provided is not fully spent, and in dealing with the second point I am sorry to say that the Maulvi Saheb has thought it fit to launch what amounts to a wholesale condemnation of the Bengali character. He has said that all Union Board presidents are abusing their powers, that they are sinking tube-wells with Union Board funds in their houses; that the members of the District Boards

do the same thing; in fact, he has said that all non-official persons entrusted with the sacred duty of selecting proper sites for sinking tube-wells, do that not to benefit the public, but to benefit themselves. I never heard such a wholesale condemnation of the character of our people on the floor of this House. I do not agree with him at all. There may be abuses here and there, but to say that in all cases people are abusing their powers and doing things which are improper—that is a charge which I refute with all the emphasis at my command. Moreover, my friend ought to have known that so far as the selection of sites under the present scheme is concerned, that is done ultimately by the local water-supply committees on which all important non-officials of the localities concerned are represented. Therefore, all his charges are altogether unfounded.

Then, Sir, it has been said not only by this honourable member but also by others that poor people cannot get any benefit on account of the fact that local contribution is insisted upon, and that naturally the poorer section of the public cannot pay the local contributions, and, as such, do not get any tube-wells at all. I would like to say here that the present policy of Government in this respect is that local contributions are not insisted upon, and that therefore whatever grievances people might have had on this score previously have been effectively removed.

Then, Sir, Miss Bell-Hart spoke about the training of *dais*. She said that at present only a dozen lectures are given to the *dais*. I admit that the training given is not of a very high order, and that it will be better if they can be given better and prolonged training. I can assure her that the Hon'ble Minister in charge of this department will certainly take into consideration the suggestions that have been made, and I have nothing further to say on that point.

Sir, Mr. Hamilton has said that in this province so far as Public Health services are concerned, decentralisation has taken place to an undesirable extent, but that is not, I think, the view of the majority in this House. Khan Sahib Jasimuddin Ahmad has spoken on the subject, and so far as the Chairman members of this House are concerned, they will certainly not agree with Mr. Hamilton. And whatever this Government proposes to do, it must do with the consent of the majority of the members supporting the Government. Whatever may have been the policy hitherto, Government has not yet decided to change that policy, and the apprehension of Khan Sahib Jasimuddin Ahmad or rather the charge of the Khan Sahib against Government that District Boards are being suspected by Government of inefficiency without having sufficient cause, is not well founded. Government never said that the District Boards failed in their duties in all respects. So far as the formulation of anti-malarial schemes is concerned,

Government admit, Sir, that the District Boards without expert advice were not in a position to frame proper schemes, and it is for this reason that a Malaria Engineer has been appointed. Had Government been of opinion that the District Boards neglected their duties and that they were incompetent to do all these things, then in that case Government would not have appointed the expert. Government think that they were in a position of disadvantage, and therefore they have appointed this Engineer. However, Sir, coming back to Mr. Hamilton's point, I would like to draw the attention of the honourable members of this House many of whom are also members or Chairmen of District Boards to the fact that in several other provinces, as has been pointed out by Mr. Hamilton himself, the Public Health services have already been provincialised. Mr. Hamilton has referred to several provinces and therefore the policy of provincialising the public health services should not be condemned without very careful examination. If it is found to be necessary to provincialise the Public Health services, it will not be on account of the fact that District Boards have not done their business properly or efficiently, but on account of other reasons.

Mr. SASANKA SEKHAR SANYAL: What are those reasons?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I have no time to deal with these off-hand questions.

Then, Sir, so far as Mr. Hamilton is concerned, he referred to the Tollygunge protected embankment scheme. That is an unfortunate scheme and I do not know whether the money that has been provided in the current year's budget will be actually spent. The previous estimate was Rs. 1,50,000, but subsequently it was found that this was an under-estimate and at least a sum of Rs. 3,92,000 will be necessary, especially on account of the fact that the cost of land acquisition will considerably go up. Recently, the Sanitary Board has recommended that three-fourths of the expenditure should be borne by Government and the rest by the local authority concerned. Whether the local authority will come forward to take upon itself this responsibility we do not as yet know, but I can say this that Government is very anxious that this scheme should be given effect to as early as possible and nothing will be done by Government to retard the progress of the scheme. On the other hand, I can assure the House that Government will do all that is possible to further the scheme and to bring it to its final fruition as early as possible.

With these words, Sir, I oppose the cut motions.

The motion of Mr. Charu Chandra Roy that the demand of Rs. 50,52,000 for expenditure under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Maulvi Abdul Wahed that the demand of Rs. 50,52,000 for expenditure under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. Tamizuddin Khan that a sum of Rs. 50,52,000 be granted for expenditure under the head "39—Public Health" was then put and agreed to.

Adjournment.

It being 8 p.m.—

The House was adjourned till 10 a.m. on Saturday, the 29th March, 1941, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 29th March, 1941, at 10 a.m.

Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 8 Hon'ble Ministers and 164 members.

STARRED QUESTION

(to which oral answer was given)

Introduction of a single system of weight and measure throughout the Province.

***191. Mr. SERAJUL ISLAM:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that numerous systems of weights and measures are in vogue in the Province?

(*b*) If so, what steps do the Government contemplate taking for the introduction of one single weight of 80 tolas per seer throughout the Province?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) Yes.

(*b*) According to item 51 of the Federal Legislative List in the Government of India Act, 1935, the Central Government is responsible for prescribing standards of weights whereas according to item 30 of the Provincial Legislative List, the Provincial Government is responsible for the enforcement of the standards of weights prescribed by the Central Government and for prescribing and enforcing the standards of measures. The Central Government have passed the Standards of Weights Act, 1939, prescribing standard weights but have not yet supplied one authenticated set of standard weights to the Provincial Government under section 4 of the said Act without which it is not possible for the Provincial Government to enforce the standards. Pending the receipt of the authenticated set of standard weights from the Central Government, it is under contemplation to appoint a small

committee consisting of businessmen and a lawyer of reputation to advise Government on the manner in which the standards of weights prescribed by the Central Government should be enforced.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state whether the demand for standard weights in this province is widespread?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state if this Government has made any requisition to the Government of India to have the authenticated set of weights?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes.

The Hon'ble Mr. H. S. Suhrawrady being absent, Question No. 192 was left over.

Adjournment motion.

Mr. SASANKA SEKHAR SANYAL: I understand that it is not possible for you to deal with the adjournment motion either to-day or on Monday. May we know when you propose to deal with it?

Mr. SPEAKER: I am looking into the question. In case it is admitted, it will be taken up on Tuesday.

Mr. SASANKA SEKHAR SANYAL: In the meantime, I take it that the question of urgency will stand waived.

Mr. SPEAKER: Yes.

Mr. SARAT CHANDRA BOSE: I take it that we shall get information from your Secretary as to the date on which we should ask for leave.

Mr. SPEAKER: I shall send you information on Monday.

DEMANDS FOR GRANTS.

Mr. SPEAKER: As the Hon'ble Mr. Fazlul Huq has not come, Sir Bijoy Prasad Singh Roy will move his motion.

9—Stamps.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 4,59,000 be granted for expenditure under the head "9—Stamps."

37—Education—Anglo-Indian and European.

The Hon'ble Mr. A. K. FAZLUL HUQ: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 11,45,800 be granted for expenditure under the head "37—Education—Anglo-Indian and European."

Mr. L. T. MAGUIRE: Sir, I beg to move that the demand of Rs. 11,45,800 for expenditure under the head "37—Education—Anglo-Indian and European" be reduced by Rs. 100. In moving this motion, I want to make it perfectly clear that all I want to do is to draw the attention of Government and of those interested in Anglo-Indian education to what in my humble opinion is a crying need. I do not know if Government have any information on the index of unemployment, the cause of such unemployment or the possibilities of adopting ameliorating measures. We who are in close touch with this community know what things are; we are aware of the heroic sacrifices of parents to educate their children; it would not be an exaggeration to say that often a quarter and sometimes a half of the family income is spent on education. We see the fruitlessness of it, the barren soil into which this seed is thrown. We pay for wheat and we reap thistle. Our young men find it difficult to obtain employment. There is general feeling of restlessness and discontent. Surely the time has come when Government should pause and give serious consideration to the present state of affairs. Good material is going waste. A community that has served India well in the past will in a few decades, unless adequate steps are taken, become in the words of Government of India Resolution of 18th October, 1881, "a glaring reproach to the Government." To quote again from the same resolution, "In the case of the European (and those of European descent brought up in the European mode of life) his capacity for self-maintenance depends entirely upon the education he receives. He cannot support himself in this country as a day labourer or by adopting the avocation of the native peasant." An uneducated member of this community almost necessarily becomes an idle and profitless if not a dangerous member of society. Unemployment in the Indian community was examined by the Inter-University Board in 1935 and by their letter of August 3, 1936, the Government of India requested the India Office's help in solving the problem. On the invitation of the Government of India through the Secretary of State, the Board of Education in England appointed its Chief Inspector of Technical Schools and its Director of Intelligence to visit India and we got the

Abott-Wood Report. The Educational Commissioner with the Government of India, Sir George Anderson, in his annual report drew attention to the alarming increase of graduates and the absence of openings for them. Our people in the fond belief that a University degree would help them to earn a living have been entering the University in increasing and large numbers only to share the same fate. A thorough investigation into the policy and system of European education is surely indicated. To do this an enquiry into the present state of the community is essential. In 1890, half a century ago, such an enquiry was made by the Government of Bengal through a committee appointed by Government. Since then a policy of drift has been followed. It is not enough to give a grant for the education of the community. In my opinion it is the duty of Government to see that the grant is utilised to the best advantage. It is a Herculean task to eradicate age-old ideas particularly in the field of education. There is a strong feeling in India, and I would venture to say in the world, that the traditional public school type must give way to something new and more practical, something that will enable the entrant into life capable of taking his place in the industrial and commercial organisation of the modern world. The type of education that gave the British Empire its greatest pro-consuls and statesmen is good for the class from which they sprung. It is not good for the ordinary man. But I will be told, "It gives you the opportunity of living a fuller life." Yes, but how can a man enjoy this higher and fuller life on an empty stomach. My community is proud of its useful past and glorious traditions, but the inheritance is fast approaching bankruptcy. I have drawn the attention of the House to these facts in the hope that the Government and all fair-minded people from all sections of this House and the general public outside this House will see that this process of deterioration, decay and waste is arrested before it is too late. It has been said that the most pathetic sight in the world is the man who wants to work and cannot get it. There are too many such to-day. Something must be done and can be done.

(After Mr. L. T. Maguire concluded his speech, Mr. Syed Jalaluddin Hashemy rose to move his cut motion.)

Mr. SPEAKER: What is your point, Mr. Hashemy, in bringing forward this cut motion?

Mr. SYED JALALUDDIN HASHEMY: As I have stated, Sir, in my cut motion, I want to raise a discussion on the distinction between the Anglo-Indian and European Education and General Education.

Mr. SPEAKER: That does not arise, because it is a distinction laid down under the Constitution itself.

Mr. SYED JALALUDDIN HASHEMY: Sir, my point is to ask the Hon'ble the Chief Minister why he has exceeded the statutory minimum. I will only ask him why he has exceeded the statutory minimum by Rs 16,000 for Anglo-Indian and European Education

Mr. SPEAKER: Have you seen the relevant section of the Government of India Act?

Mr. SYED JALALUDDIN HASHEMY: Yes, Sir, it is section 83 which deals with the statutory minimum. And if you refer to the Explanatory Memorandum in the Red Book, you will find that the statutory minimum is fixed at Rs 11,30,000, and I have nothing to say against that.

Mr. SPEAKER: Then your point is only to refer to the amount provided in excess of the statutory minimum

Mr. SYED JALALUDDIN HASHEMY: Yes, Sir I beg to move that the demand of Rs. 11,45,800 for expenditure under the head "37 Education—Anglo-Indian and European" be reduced by Rs 100 My question to the Hon'ble the Chief Minister is—why this favouritism for the Anglo-Indian and European community in this province, who are quite well off to conduct their own education? We deplore this invidious distinction So far as the statutory obligation is concerned, we are helpless; but we have certainly a right to ask why this increase of Rs. 16,000 *plus* Rs. 5,000 under "Civil Works" for buildings for European and Anglo-Indian Education. I would suggest that that sum amounting to about Rs. 21,000 should be spent for the education of the scheduled castes. We are here to look after the interests of Indians—Hindus and Muslims—and I would ask the Hon'ble the Chief Minister to provide the statutory minimum for Anglo-Indian and European Education and not a pie more than that statutory minimum.

Mr. C. GRIFFITHS: Mr. Speaker, Sir, in criticising our education grant for 1941-42, I find it best to place before the House the two separate allotments made during the years of Provincial Autonomy—

	Anglo-Indian and European	Indian
	Rs	Rs
1937-38	12,87,000	1,18,82,000
1938-39	11,02,000	1,26,68,000
1939-40	11,47,000	1,56,59,000
1940-41	11,41,000	1,56,52,000
1941-42 .. .	11,46,000	1,77,48,000

The result is clear. We get 6,12,000 less while the Indian schools get 1,41,99,000 more since 1937-38. Is this because the Ministry consisting of the major communities appropriated all the extra funds year

after year? Is there no justice for the minorities? Must we wait till the majorities fall out over the spoils before we get our just dues? Let me tell you that it is due to this failing which has caused all the trouble in Europe, overlooking the right of the minorities. There is no need of preaching democracy by false reasoning and a cock-eyed policy. No wonder it is said that the Devil was the first Democrat. (Laughter.) Hence, we find selfishness, greed and injustice to be the aim of the majority backed by a mass of weaklings who refuse to reason.

Sir, true democracy means the rights of every section of the people large or small, rich or poor, on the different rungs of the ladder of civilization brought about by the slow process of evolution. It should be remembered that we have had 184 years of British rule in Bengal, for Plassey was fought in 1757. It does not matter to what section or community one belongs—European, Anglo-Indian or Indian Christian, Muslim or Hindu, Brahmin or Scheduled Caste, Urdu or Hindi-speaking Muslim.

The question to be considered is whether any community has a claim. The question, therefore, before the House is—have the Anglo-Indian and European schools a claim to their education grant and that in keeping with taxes paid by Europeans and Anglo-Indians, without stressing other points for the present?

I take it that the Europeans alone who are referred to as the merchant princes of Calcutta pay one-tenth of the taxes, if not, they have been grossly maligned as exploiters, etc., when 90 per cent. of the revenue of the province is left aside to be earned by the people of Bengal, for, after all, taxes are paid on revenue earned either by trade and commerce, house property and zemindari rights or by professions and callings. The question naturally follows on what basis do Indian schools claim over 90 per cent. and by what law do they make their adjustments for Muslim and Hindu education. If their claim is arbitrary and cannot be justified, what hope have we of getting a fair deal from them? There is a Bengali proverb which says that if the Head of the State overlooks one the other courtiers will do the same. But it should be remembered that there is a greater force at work. Nature abhors a vacuum. You cannot displace the Anglo-Indians and Domiciled Europeans without having other claimants. Anglo-Indians and Domiciled Europeans in taking Indian domicile do not lose their birthright as sons of the Paramount Power. The Muslims and Aryan Hindus did not lose theirs and subordinate themselves in becoming countrymen of Bengal. It is gratifying to find that the British military authorities recognise our birthright and have freely admitted us into the British Army during this war as they did during the Great War of 1914-18 and before. Therefore all Indians who live by inherited rights, from the rich zemindar to the poor raiyat, need not worry.

Now let us examine the cuts—one says, invidious distinction; another, pampered treatment; a third, as unnecessary; and a fourth, special favours. I wonder if these men paused to think how they came to put these questions and whether they intend Right or Might should prevail—such is the privilege one enjoys under the invisible majesty of the British law, that all, clothed in lion's skin may roar like lions. Do these men wish to resort to Brute Force, that is, sheer might, under the guise of democracy and destroy us, as the Hindus did in the Corporation and the Muslims have done in this House, refusing us a seat in the Cabinet and other important committees. Ours is a great heritage. I tell you, in trying to destroy us you destroy yourself for you sow the seed of hate and discord and you remove the resistless splendour of the moral law which protects one and all and gives Indians freedom and liberty which neither Hindu nor Muslim dares.

Remember the masses are swayed by a select few, beware therefore of the profane teachings of tyrants. Repercussions will be great and your children will curse you for your short-sighted policy.

In 1939 I pointed out the gross injustice done to our schools. I mentioned that the India Act of 1935 framed by the best brains of England and India had fixed Rs. 11,30,121 as our minimum, that we admitted 25 per cent. of Indians into our schools and therefore did not get the benefits of the full grants, that we paid our taxes, in fact we were hardest hit, that it was not fair to keep us marking time while others advanced at the double. Education should be given with a view to the life, needs and traditions of the people. In 1940 when our grant was attacked, we were pleased to find the Hon'ble Mr. Fazlul Huq in a spirited manner championing our cause for which we are grateful, and what struck me most was that he stressed the points I had raised the year before and he admitted that we should get a proportionate rise. But to-day, in 1941, imagine our surprise when by further taxation the budget expenditure rises up by 316 lakhs since 1937-38 and as much as Rs. 58,66,000 extra is earmarked for Education, our schools are again overlooked. This seems extraordinary and calls for an immediate explanation and necessary adjustment. Should the principle underlying the grants be the principle of malice and retaliation for the past or should it be one of justice in the present and for the future? The British Empire is at war. Expenses have gone up all round. European children cannot be sent to England for their education. More funds will be necessary for our schools. Our Christian education must not be hampered, the culture which leads and controls the world, the culture in Bengal which embraces European, Anglo-Indian and Indian subjects.

Let your grants be given according to the life, needs and traditions of the people, with justice and not with malice, so that it may be a blessing and not a curse to the people of Bengal.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I do not think it is possible nor is it necessary for me to go into details regarding the various points that have been raised in the speeches that have been delivered this morning. Two eminent members belonging to the Anglo-Indian community have spoken on this subject and the trend of their speeches was that Anglo-Indian Education should not be neglected. I can assure them that there is no cause for alarm. The Anglo-Indian and European Education Committee has several representatives of the Anglo-Indian community on it who are watchful of the interests of the community and who advise Government in matters in which the intervention of Government is considered necessary. Sir, I can assure them that Government will never be slow in recognising their claims. But it is very helpful to have criticisms of this kind from time to time, because it indicates the kind of education which will be acceptable to the Anglo-Indian community. I can assure them that we shall go through the points that have been raised and the remarks that have been made and once more I can assure them that, so far as Government is concerned, it will do its best to see that the wishes of the Anglo-Indian community are respected in this matter.

As regards the speech delivered by Mr. Jalaluddin Hashemy, I can only point out to him that the minimum is never meant to be the maximum, and as a matter of fact the budget has been made out on the assumption that a certain sum which is described as grant for Education—Anglo-Indian and European—will have to be spent in a particular way. This year we have to spend a little more on account of certain unforeseen expenses and demands, and it is for that reason that this extra expenditure has been incurred. I entirely agree that if money could be set free without breaking the statutory laws and drawing the money that will come to the common till, it should be available for this purpose. But till then we will have to provide for money year to year as the law requires and if over and above that a little more expenditure is necessary, I do not see how we can refuse that expenditure to the community. But we will see that these little demands are scrutinised and that unnecessary expenditure is not incurred. On these grounds, Sir, I oppose the motions.

Mr. L. T. MAGUIRE: Sir, I beg leave to withdraw my motion.

Mr. SPEAKER: Leave has been asked for by Mr. L. T. Maguire to withdraw his motion. Is there any objection?

(Cries of "No objection.")

The motion of Mr. L. T. Maguire that the demand of Rs. 11,45,800 for expenditure under the head "37—Education—Anglo-Indian and European" be reduced by Rs. 100 was then, by leave of the House, withdrawn.

Mr. SYED JALALUDDIN HASHEMY: Sir, I also follow suit. (Laughter.) I also beg leave to withdraw my motion.

Mr. SPEAKER: Leave has been asked for by Mr. Syed Jalaluddin Hashemy to withdraw his motion. Is there any objection?

(Cries of "No objection.")

The motion of Mr. Syed Jalaluddin Hashemy that the demand of Rs. 11,45,800 for expenditure under the head "37—Education—Anglo-Indian and European" be reduced by Rs. 100 was then, by leave of the House, withdrawn.

The motion of the Hon'ble Mr. A. K. Fazlul Huq that a sum of Rs. 11,45,800 be granted for expenditure under the head "37—Education—Anglo-Indian and European" was then put and agreed to.

47—Miscellaneous Departments.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,92,000 be granted for expenditure under the head "47—Miscellaneous Departments."

Sir, in order to give the honourable members an opportunity to expand themselves I will not preface any remark.

Mr. A. M. A. ZAMAN: মাননীয় Speaker মহোদয়—শ্রমিক-মন্ত্রী মহোদয়, Miscellaneous Budgetএ যে টাকাটা demand কারেছেন আমি তা oppose কোরতে দাঁড়িয়েছি। তাব কারণ ওঁর department থেকে শ্রমিকদের ভেতর অসন্তোষ সৃষ্টি করা ছাড়া আব বিশেষ কোন কাজ হয় নাই। উনি কলিকাতায় নিজের টাকায় এবং গভর্ণমেণ্টের টাকায় নিজের দলীয় লোকজনদের কয়েকখানি মোটর গাড়ী কিনে দিয়েছেন এবং গুণ্ডা বদমাস দ্বারা কতকগুলি bogus union সৃষ্টি কোরে সেগুলিকে গভর্ণমেণ্ট থেকে সাহায্য ও সহানুভূতি দ্বারা প্রশ্রয় দিয়ে আমাদের unionগুলিকে জব্দ করবার চেষ্টা কোরছেন। তাছাড়াও দয়াময় পুলিশের লোকদ্বারা আমাদের য়ুনিয়ানের মেম্বারদের ভয় দেখিয়ে যাতে আমাদের য়ুনিয়ান পরিত্যাগ কোরে তারা ঐ সব তথাকথিত য়ুনিয়ানের মেম্বার হয় আড়াল থেকে শ্রমিক-মন্ত্রী মহোদয় সেই কর্ম্ম দক্ষতার সহিত করিয়া আসিতেছেন। কিছুদিন পূর্ব্বে India Government Trade Union আইন সম্পর্কে অনুসন্ধান করবার জন্য Representatives পাঠিয়েছিলেন, সেই সময়ে দেখা গেল Suhrawardy সাহেবের তথাকথিত unionগুলিকে তাঁরা recognise করেন নাই এবং তাদের কাছ থেকে পরামর্শ গ্রহণ করেন নাই। কাজেই আমরা এতদিন যে বোলে আসছিলাম যে তাঁর unionগুলির মূলতঃ অন্য কোন উদ্দেশ্য নেই কেবল নিজের স্বার্থ আদায় করা ছাড়া এবং বিশেষ কোরে কলিকাতার মত জায়গায় গুণ্ডামির purposeএ লোকজন লাগান ছাড়া সেই কথাগুলি আজ সত্যে পরিণত হোয়েছে। মন্ত্রিত্বের গদিতে

বসবার পর হোতে শ্রমিকদের যাতে মঙ্গল হয় তার জন্য উনি বিশেষ কোন চেষ্টাই করেন নাই। ওঁর কাজ হোলো যেসব সর্দ্দার ঘুষ খায় তাদের এবং গুণ্ডা বদমাইসদেব নিয়ে একটা দল পাকিয়ে শ্রমিকদের মধ্যে বিভেদ সৃষ্টি কোরে নিজের প্রভুত্ব বজায় রাখা। ওঁর departmentএর দ্বারা অন্য কোন কাজ হয় না। এই departmentএ উনি বহুসংখ্যক লোক appoint কোরেছেন এবং তাদের মটর গাড়ী কিনে দিয়েছেন। এবং সেই সব লোক দ্বারা শ্রমিকের মঙ্গল ত হয়ই নাই বরং শ্রমিকের সর্ব্বনাশই হোয়েছে। শ্রমিকেরা আইনতঃ যেসব য়ুনিয়ন করিয়াছে এবং ন্যায্য দাবী আদায়ের জন্য ধর্ম্মঘট করিয়াছে তখনই সহিদ সাহেবের ঐ সব ভাড়াটে লোক গিয়ে ধর্ম্মঘট ভাঙ্গিয়া দিয়া মিল মালিকদের সাহায্য করিয়াছে যার দরুণ বেকারের সংখ্যা বাড়িয়া গিয়া আরও অসন্তোষের সৃষ্টি হোয়েছে। এবং হিন্দু মুসলমানদের ভিতর বিভেদ সৃষ্টি করিয়া দেশের সর্ব্বনাশ কোরেছে।

Mr. SPEAKER: Order, order. Mr. Zaman, you cannot discuss matters which do not arise in the budget. You cannot go beyond the budget. This is the only opportunity in the year during budget discussion when you can discuss labour grievances. Please confine yourself to the question of labour; that will serve labour interests.

Mr. A. M. A. ZAMAN: আমি Labour সম্বন্ধেই বোল্‌ছি। আমি দেখাতে যাচ্ছি এই যে যে লোকগুলিকে appoint করা হোয়েছে তারা কি রকম কোরে Labourএর সর্ব্বনাশ কোর্‌ছে। এটা না বোললে উনি বুঝবেন না যে উনি কি রকম Labour দরদী। এই লোকগুলির মধ্যে হিন্দুও আছে মুসলমানও আছে। ওঁর নিযুক্ত লোকগুলি Mill areaতে গিয়ে হিন্দু মুসলমানের মধ্যে ভেদ সৃষ্টি করে, হিন্দুদের মধ্যে বোলে বেড়ায় মুসলমানদের সঙ্গে মিশো না, আব মুসলমানদের মধ্যে বোলে বেড়ায় হিন্দুদের সঙ্গে মিশো না। হিন্দুদের বোলে বেড়ায়, তোমরা হিন্দু মহাসভায় যাও, আর মুসলমানদের বোলে বেড়ায় তোমরা মুসলিম লীগে যাও। গত Corporation electionএর সময় দেখা গেছে যে ওঁর দল হিন্দু মহাসভার দলের প্রার্থী মিঃ বর্ম্মণকে support কোরেছে, এবং মুসলিম লীগের মনোনীত প্রার্থীকেও support কোরেছে। উনি চাচ্ছেন শ্রমিকদের মাঝখানে হিন্দু মহাসভা ও মুসলিম লীগ এই দুইটি দল জেগে উঠুক এবং শ্রমিকদের সর্ব্বনাশ হোক, সঙ্গে সঙ্গে উনি চেষ্টা কোচ্ছেন যাতে ওঁর বন্ধু মিল মালিকেরা এদেশের গরীব মজুর চাষীকে বঞ্চিত কোরে লাভবান হয় এবং সেই লাভের অংশ থেকে দুপয়সা ওঁর নিজের পকেটেও উঠ্‌তে পারে। উনি যদি শ্রমিকদের মঙ্গল চান তাহোলে উনি যে ভুল Policy নিয়েছেন সেটা সংশোধন করুন। যদি সংশোধন না করেন তাহোলে শ্রমিক অঞ্চলে ঢাকার মত ব্যাপার যদি ঘটে তবে সেটাকে ঠেকিয়ে রাখবার মত ক্ষমতা মন্ত্রী মহোদয়ের হবে না—এমন কি তাঁর উপরিওয়ালারা যারা রোয়েছেন তাঁরাও সেটাকে ঠেকাতে পার্ব্বেন কিনা সন্দেহ। কাজেই বোলতে চাই এখনও সময় আছে Policy change করবার। উনি যে নিজেকে শ্রমিক দরদী বোলে যেখানে সেখানে যাহির করেন, তাই যদি হয় উনি যে ভাড়াটিয়া unionগুলি কোরে রেখেছেন, তার মধ্যে যেসব শ্রমিকেরা আছে, তাদের যাতে সত্যিকার উপকার হয়, এবং তারা যাতে

যুদ্ধের দরুণ মাগ্‌গি ভাতা ও যাতে Permanent Service পায় অন্তত: পক্ষে সেই চেষ্টাটা করুন। আর এক দিগ দিয়ে দেখা যায় উনি কয়েক হাজার টাকা প্রতি বৎসর Labour welfareএর জন্য খরচ করেন। সেই টাকাটা যায় কোথায়? তার হিসাব আজ পর্য্যন্ত আমাদের দিতে পারেননি। কোন Labour areaতে স্কুল বা দাতব্য চিকিৎসালয় কোরে শ্রমিকদের উপকারের জন্য একটি পয়সাও খরচ করেন নি। সেই জন্যই আমাদের মনে হয় সেই টাকা দিয়ে উনি কতকগুলি ভাড়াটিয়া লোক রেখেছেন যাদের পেশা হোচ্ছে গুণ্ডামি এবং বদমাইসি করা, এবং শ্রমিকের সর্ব্বনাশ করা। এবং যাতে ঐ সব লোক যখন তখন শ্রমিক মহলে গিয়ে উৎপাতের সৃষ্টি কোরতে পারে সেইজন্য তাদের কয়েকটা গাড়ীও কিনে দিয়েছেন। ইহা ভিন্ন ঐ টাকা খরচ হওয়ার কোন সত্যিকারের কারণ আমরা খুঁজে পাই না।

তারপর এই যে Factory Inspector সাহেব রোয়েছেন তাঁর কাছে যদি কোন Complaint করা হয় সাধারণত তাঁর কোন পাত্তাই পাওয়া যায় না। যদিও ঘটনাচক্রে ফ্যাক্টরী ইনস্পেক্টর মহোদয় কোম্পানিকে সংবাদ দিয়ে ৫।৭ দিন পরে ঘটনাস্থলে হাজির হন, ইতি মধ্যে কোম্পানী সাবধান হইয়া যায়। আমাদের সঙ্গে কোরে নিয়ে গেলে আমরা দেখিয়ে দিতে পারি কি রকম অন্যায়ভাবে ১০।১২ ঘণ্টা মিল কর্ত্তৃপক্ষেরা শ্রমিকদের খাটিয়ে নেয়, ঘড়ির কাঁটা ঘুরিয়ে দেওয়া হয় এবং খাতায় ৩ জনের নাম লিখে দুজনকে দিয়ে কাজ করান হয়। কিন্তু আমাদেরকে কোনই সংবাদ না দিয়ে মিল কর্ত্তৃপক্ষকে সংবাদ দেওয়ার সঙ্গে সঙ্গে তারা আসল খাতাপত্রগুলি সরিয়ে ফেলে তাদের উক্তরূপ কাজ চালানোর জন্য নকল এক সেট খাতা এনে রেখে দেয়। কাজেই আমি বোলতে চাই যে Factory Inspectorএর post তুলে দিয়ে Labour Commissionerএর Departmentএর through দিয়ে যদি Expert লোকের সাহায্যে কাজ চালান হয় তাহোলে একটু Better result হোতে পারে। দ্বিতীয়তঃ ওঁর কাছে আমার নিবেদন যুদ্ধের দরুণ জিনিষের দাম বেড়ে যাওয়ায় এবং অনেক Jute Millএ শ্রমিকদের কাজ কমিয়ে দেওয়ায় এবং অনেককে ছুটি দেওয়ায় শ্রমিকদের অবস্থা অত্যন্ত শোচনীয় হোয়ে পড়েছে। উপরন্তু তাদের এক পয়সাও মাইনে বাড়েনি। যখন তারা মাইনে বাড়াবার দাবী করে তখন India Defence Act এবং Section 144 জারি কোরে আমাদের সেই সমস্ত যায়গায় যেতে দেওয়া হয়না। কিন্তু ওঁর নিজের লোক অনবরত সেখানে গিয়ে বলে আমরা সবই কোরে দেব, তোমরা চিন্তা কোর না। ৫।৭ দিন পরে দেখা যায় সেখানকার অনেক লোকের জবাব হোয়ে গেছে এবং নূতন লোক নিয়ে Company কাজ চালাচ্ছে। আর পুরান লোকেরা বেকার হোয়ে হাহাকার কোরে ঘুরে বেড়াচ্ছে। উনি যে Policy নিয়েছেন, এই শেষ সময়ে আমি অনুরোধ কোরছি সে পলিসিটা ছেড়ে দিন, যাকান্দানির পূর্ব্বে তওবা করা দরকার। এতদিন পাপ কোরেছেন, এখন একটু পুণ্য সঞ্চয় কোরে খোদার নাম নিন। এই অন্তিম সময়ে শ্রমিকদের একটু সুখশান্তি দেবার জন্য মনে প্রাণে চেষ্টা করুন। তা না হোলে কোথাও জবাব দিতে পার্বেন না—এ দুনিয়াতেও নয় আখেরে খোদার কাছেও নয়। Railway companyগুলিতে ভারত গভর্ণমেণ্ট যুদ্ধের সময় ভাতা দিতে প্রস্তুত হোয়েছেন। কিন্তু Jute Mill মালিকেরা, যারা লক্ষ লক্ষ

কোটি কোটি টাকা মুনাফা করে তারা শ্রমিকদের জন্য কিছুই করে নাই বা কোরতে রাজীও নয়। এইবার Howrah Jute Millএর Annual Reportএ দেখা যায় বহু টাকা মুনাফা হোয়েছে। কিন্তু সেখানে শ্রমিকেরা ৫।১০।১৫ টাকার বেশী মাইনে পায় না। এদের মাইনে বাড়াবার কোন চেষ্টাও হোচ্ছে না। Mill areaগুলির মধ্যে জিনিষের দাম অত্যন্ত চড়া। যে জিনিষের দাম কলিকাতার বাজারে দুআনা Mill areaতে তার দাম দশ পয়সা। মহাজন এবং Millএর সর্দ্দারেরা এই সব দোকানগুলি control করে। তার ফলে এই সব দোকান হতে জিনিষপত্র না নিলে সর্দ্দারেরা শ্রমিকদের জবাব দিয়ে দেয়। তারা সামান্য যা মাইনে পায় সেই সমস্ত টাকাই সর্দ্দার ও মহাজনের পেটেই যায়, দেশে একটি পয়সাও পাঠাতে পারে না। তাদের অবস্থা অত্যন্ত শোচনীয় হোয়ে পোড়েছে। কাজেই আমি মন্ত্রী মহোদয়কে অনুরোধ করি যাতে শ্রমিকেরা War Bonus পায়, তাদের অকারণে কাজ হোতে জবাব বন্ধ হয়, মাইনে বাড়ে, এবং বুড়ো বয়সে Pensionএর ব্যবস্থা হয় সেইরূপ চেষ্টা করুন। তা না হোলে শেষ কালে ওঁর কি দশা হবে, এবং শ্রমিকদের কাছে কি কৈফিয়ত দেবেন তা আমি বুঝতে পারছি না।

Mr. I. C. KENNEDY: Mr. Speaker, Sir, on behalf of European Party I rise to support the motion which has just been moved by the Hon'ble Labour Minister. He asks the House to vote a grant to defray amongst other things the cost of the Labour Department and the only criticism which I have to offer is that the amount is far from excessive when the needs of this department were considered. Honourable members are aware that there are many Acts in force which are intended to improve the conditions of work in our industrial concerns as well as to protect the rights of the workers. But such Acts can never be effective unless an adequate staff of Inspectors is available to see that they are rigidly enforced. I think the Hon'ble Minister will agree that many employers co-operate loyally in the administration of labour legislation, but there are others, not so helpful, who can only be prevented from breaking the law by the certain knowledge that any infringement of the Acts will entail grave penalties. To ensure that breaches of the law will be detected, the staff of the Labour Department, which is charged with the administration of the various labour Acts, must be adequate and efficient. I know how great is the financial stringency in Bengal at the present time and how insistent are the demands from other important departments for more funds to carry on their activities. Nevertheless, I hope that, when it is possible to do so, more financial provision will be made by Government to enable the Labour Department to expand and to improve the work which it carries out in the interests of the industrial workers in this province. The year which has passed since the Hon'ble Minister last presented his demand to this House has been singularly free from labour trouble and, in the opinion of my party, this is due in no small measure to his solicitude for the workers of Bengal and his determination to safeguard

their rights. I also claim, and I think with justification, that he has been greatly assisted in this task by the willing co-operation of many employers who also have the well-being of the workers at heart. Sir, my party welcomes as a progressive step the appointment of the two additional labour officers for which provision has been made in the budget. These labour officers can do most valuable work by moving about the workers, listening to their grievances and, where possible, taking steps to have them removed. Often little troubles which arise in the day's work in a mill or a factory are never represented to the management and so remain permanently as a growing cause of discontent. I do not think I exaggerate when I say that industrial trouble arises more from petty wrongs which have been neglected than from larger issues. It may be of interest to the House to know that the labour officer scheme which was instituted a year or two ago by the Indian Jute Mills Association is proving most successful. More and more these labour officers are gaining the confidence of the workers who not only come to them with grievances about their work, but also now consult them about more homely matters. But I would warn the Hon'ble Minister that his labour officer scheme can never hope to be successful unless the men appointed to these posts are most carefully chosen. Industrial workers in Bengal, indeed everywhere, are generally shy and backward in talking about themselves and their affairs, and any labour officer who hopes to gain their confidence must have tact, understanding and a sense of justice far above the average. Perhaps the most important problem confronting the industry in the province is the maintenance of friendly relations between the employers and employees. We in this Party feel that a sound and constitutional trade union movement will go a long way towards achieving this end. There are many trade unions in Bengal, 193 being the latest figure available at the end of March, 1939. With a few notable exceptions, by far the greater majority of these unions do not appear to function except for the purpose of creating strikes. Nobody will deny the right of a trade union to call a strike of workers, after reasonable warning and when all other peaceful means of settling a dispute have failed, but the use of the strike weapon, it must be remembered, is only a minor function of the movement, and not its main end. There are far too many purely strike unions in the province and far too few which aim at assisting their members in other more constructive ways. Take labour welfare for instance. How many labour leaders here realise that in Great Britain, which is the home of trade unionism, the great trade unions devote their attention mainly to organising and running welfare and benefit schemes for their members? I know perfectly well that most of the trade unions in Bengal have small memberships and scanty funds and so cannot be expected to undertake this costly work on their own account. But I would suggest, in all seriousness, that labour leaders instead of deriding the welfare schemes which are run by many

mills and factories might with advantage offer their advice and co-operation to the management and assist in making such schemes successful. This bringing together in a common humanitarian work of the unions and the representatives of the employers would, I am certain, go a long way towards establishing that confidence in each other's good faith which is absolutely essential if peaceful negotiation is to succeed as a means of settling labour disputes. In conclusion, I would like to utter a word of warning. If trade unionism is to make any headway and is to take its proper place in the industrial life of Bengal, it must be kept free from all considerations of caste, or creed, or ideology. These distinctions, if they are allowed to develop, will inevitably lead to strife within a movement whose strength depends solely upon the unity of its members.

Maulvi ABUL HASHIM: Mr. Speaker, Sir, I have listened to the speech delivered by my honourable friend, Mr. Zaman. He has taken this opportunity to satisfy his grudge against the Hon'ble Minister for Labour and the party that supports him. As usual, this time he has also reminded us of the day of reckoning. I am confident that this threat to us is born of his own fears. Sir, my friend, Mr. Zaman, and others who think like him are intoxicated with the superficial charm of that Jewish godless creed, I mean Marxism, and they believe in revolution as such. The whole idea behind their activities is to demoralise, turn topsy-turvy and destroy every existing healthy institution. They call themselves labour leaders. From what I know of them, I am confident that any Government having any desire to do the slightest good to the labouring population should first of all do their best to free the labourers from the influences of leaders like Mr. Zaman——

Mr. A. M. A. ZAMAN: তোমাদের মত লোকের হাতে দিলেই হয়েছিল আর কি!

Maulvi ABUL HASHIM: Mr. Zaman and men of his way of thinking have got nothing to do with labour and labour interests. In order to use the poor toiling labouring class as a tool for their political warfare, they have adopted tactics by which they are now using the labouring people most ruthlessly as food for their guns. Therefore, we can have no sympathy whatsoever with their activities and their methods of work. I congratulate the Hon'ble the Minister for Labour and his department on having succeeded to a very appreciable extent in freeing the poor toiling classes from their influence. That is, Sir, one of Mr. Zaman's standing grievances, and that is the reason why the new and healthy organisations started under the patronage of this Government are styled by them as bogus *goondaism*.

So far as improving the conditions and other amenities of the labouring classes are concerned, their demands, their struggle with the companies and other employers are concerned, I think others have given better thought over these matters than I can possibly do. But, Sir, only the other day I had an occasion to preside over a mass meeting of the labourers at Kidderpore organised by the Seamen's Association. There after enquiry I learnt that these labouring classes lead a very reckless life. Their habits and environments are not satisfactory. In my hopes for our improvement and advancement I do not count very much upon matters like elections, census, wealth and similar other things, but I believe that we cannot proceed an inch forward if we cannot improve our national character, habits and environments. I think if we are really anxious to do any real good to our labouring classes and, for the matter of that, for the country as a whole, we must see that we are able to improve their habits, their environments and their character. I find from enquiry that these labouring classes earn more than our agriculturists in rural areas do, but these people spend their money in a very reckless manner. They ought to be made to understand that they must develop a sense of responsibility not only as to their duty to their companies and other employers but also as to their duty towards their own families, friends and neighbours. I would appeal to the Hon'ble Mr. Suhrawardy to see that proper education is imparted to these people and alongside with the organisations for satisfying their demands as against their companies and other employers, I would request the Hon'ble Minister to set up institutions for improving their habits, environments and character and also for keeping a very strict eye as to how they spend the money they earn. If they remain as they are at present, I am confident that even if cent. per cent. of their demands against their companies and employers are satisfied, their condition will not improve in the slightest degree. With these words, Sir, I oppose the motion of my friend in the Opposition.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, as my time is somewhat limited, I will not take long to reply to probably one of the most irresponsible speeches that have ever been uttered even on the floor of this House within the last four years by Mr. Zaman and also to the speeches of the other two honourable members who have spoken on this grant. Mr. Zaman started by casting certain aspersions against the constitutional trade unions that have grown up in pursuance of our policy of encouraging trade unions in this province which conduct themselves in a reasonable and constitutional manner. I am not responsible, Sir, for the mistakes that may be committed by the Government of India in consulting the leaders of the All-India Trade Union Congress on labour matters, but the obvious reason why they did so is that this All-India Trade Union Congress is the only all-India organisation at the present time that claims to represent all-India labour,

although its claim is largely unfounded. We have examined the records of the various trade unions or so-called trade unions that are affiliated to the All-India Trade Union Congress, and we find that most of them are not worthy of the name of labour trade unions and that many of the big organisations that were affiliated to that body in the days of its strength have now severed their connection from that body, and yet this organisation continues to put itself forward as the representative of trade unions all over India. I think, Sir, the time is soon coming when real trade unions in India will organise themselves into an all-India body and thereafter the claim of the All-India Trade Union Congress will vanish in the dust.

Now, Sir, the same member has said that these various constitutional organisations are run by *sardars* and the like who batten on labour. I am not aware where he has got this information from, but it is quite clear that if there is any trade union of this type it can never get the support of Government or any encouragement from us. A trade union must be a trade union of the labourers and must function for their benefit and in giving recognition to, or encouraging trade unions of workers we apply very strict criteria of honesty and of representative character, under which criteria of course most of the trade unions with which Mr. Zaman and leaders of his type are associated are ruled out of order. That is probably the reason why Mr. Zaman has let loose his venom on the floor of the House, and attacked Government on matters of which he has very little knowledge. For instance, Sir, he points out that we cannot give an account of the money that is spent on labour welfare and therefore this money must be spent on these various trade unions and in providing motor cars for some people. Now, Sir, not a single pice of this labour welfare grant is spent on any trade union organisation at all except in an indirect way—I know of only one instance where we are giving a grant—to the Kishorilal Library which is run by the Press Employees' Association which is affiliated to the All-India Trade Union Congress. This is the only organisation, the only union as a matter of fact, to which Government is giving a grant, because it purports to run a library for the benefit of the labourers. The other moneys from the welfare grant are spent on various schools, day and night schools, that have been formed in different parts of the labour area. There are at the present moment 13 such schools in operation and our next year's programme includes establishment of 8 more schools. The money is spent on these schools and not on any trade union whatsoever. If there are trade unions so flourishing that they can afford to have motor cars of their own and to supply their labour leaders with motor cars, so much the better for them and for their organisation; but not a single pice of Government from the welfare grant is spent on such organisations.

Now, Sir, Mr. Zaman has again come out with the charge that the Labour Ministry is dividing labour on the communal issue and encouraging labourers to join the Hindu Mahasabha on the one hand and the Muslim League on the other. We are doing nothing of the kind. As a matter of fact, if we are to place the slightest credence on the reports that we receive regarding the speeches of Mr. Zaman himself, he made a most desperate attempt to regain his prestige by fanning communal passions in the area which he for the time being represents, but he failed to do so, because the policy of this Government is that in the labour world Hindus and Muslims are as one, and we deprecate, indeed we refuse to recognise, any trade union that is of a communal complexion, either Hindu or Muslim.

Sir, the same Mr. Zaman after attacking the Labour Department expressed his involuntary appreciation when he suggested that instead of the Inspector of Factories being entrusted with the task of looking into complaints regarding working hours, this portion of the work should be transferred to the Labour Department. Now, as I have said, this is an involuntary appreciation, because it cannot now be doubted that the Labour Department starting from the Labour Commissioner, the Assistant Commissioner down to the Labour Officers is really doing extremely good work and has succeeded in bringing about a spirit of harmony and co-operation between the labourers and the employers and in promoting industrial peace. It has always given the quickest response wherever there has been any disturbance or any grievance of the labourers; it investigates these with the most meticulous care, so much so that it has earned the confidence of the labourers to such an extent that its offices are thronged daily with the labourers from all parts. That is something which I think this Government may well be proud of, namely, that it has succeeded in capturing the confidence of the labourers and in looking after their interests and in promoting their welfare.

Now, Sir, Mr. Kennedy has said that when we do appoint these Labour Officers, they should be most carefully chosen; they should have tact and various other qualities. Sir, they are most carefully chosen. We do not go merely by University degrees, but we examine him in order to find out whether he has common-sense, ability, personality, capacity to influence, patience, a desire to understand the other man's point of view, and the fact that our Labour Officers have been most carefully chosen has been proved by the fact that the tongue-tied labourers do come to them and ask for their support. Sir, I wish, if I may return the compliment to Mr. Kennedy, that his Labour Officers were as carefully chosen as the Labour Officers of Government. If that be so, I am sure there will not be those various troubles that do arise from time to time and find expression in grievances and strikes.

Mr. Kennedy has referred to labour welfare. I am very glad to find that the attention of the employers is directed towards labour welfare, because it is on that side of the problem that for the next year at any rate I propose directing my own particular attention. I think it is time that the conditions of the labourers as a whole were once more considered, and I hope I shall have the co-operation of the employers when I take up the several problems that are outstanding. I hope, Sir, that within these four years we have come to the stage that we have been able to impress both on the labourers as well as on the employers the goodwill of Government to try and promote harmony and at the same time to see that justice is done between the employer and the labourer. It must not be forgotten, Sir, that after the war there will be a great change in the relations between the labourers and the employers. That thing must be borne in mind and the system or the ideology—a word which is very largely used nowadays—which has hitherto determined the relationship between the employer and the labourer will have to undergo a radical change. I think the sooner this is realised and the sooner the capitalist section feel that they should look after the interest of the labourers in a larger and still larger measure, the better it will be for the new world order and for the relationship between the two. Sir, I have nothing else to add.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 4,92,000 be granted for expenditure under the head "47—Miscellaneous Departments" was then put and agreed to.

10—Forest.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 14,57,000 be granted for expenditure under the head "10—Forest."

I take this opportunity to make a statement on some points in regard to the administration of the Forest Department.

Sir, with the outbreak of war, there has been a large increase in the demand for timber to meet the war needs of the Defence Services in India and overseas. The Government of India have decided to meet the increased demand by purchase of timber through the Provincial Governments. The execution of the orders for the supply of timber received from the Central Government in accordance with the above decision forms one of the main activities of this department at present. I may mention here, for the information of the House, that as the price of the timber supplied includes all overhead charges the execution of every order for the supply of timber received from the Central Government leaves a margin of profit and adds to the provincial revenues.

Government have recently set up a Provincial Advisory Board on forest utilisation, consisting of officials of the Forest Department and representatives of different Chambers of Commerce and of smaller trades interested in forest produce, to examine the position of the timber and subsidiary trades in Calcutta, to advise the Central Advisory Board constituted by the Government of India on the selection of the problems which require investigation in the province and to maintain contact with the timber industry of the province.

It is expected that the establishment of this Board will not only provide a link between the Forest Department and those interested in forest produce, but will also help the starting and improvement of industries connected with such produce and make the forests more useful to the country.

The question of the preservation of wild life in Bengal which forms an integral part of the administration of the Forest Department has been engaging the attention of Government for some time past. It has already been decided to appoint a representative committee consisting of officials and non-officials to investigate into the matter and to suggest the best methods of tackling the question. The personnel of the committee has been settled and formal orders of Government appointing the same will issue as early as possible. It is hoped that the labours of the committee will result in the preservation and improvement of game and game fishes in the province which may otherwise become extinct.

Other important points with regard to the administration of the Forest Department, to which I referred in my last budget speech, are the creation of a new Bengal Forest Service in place of the existing Indian Forest Service and Bengal Forest Service, the afforestation in Western Bengal and the management of *khas mahal* forests in Chittagong and the meeting of the demands of the tenants in connection therewith.

The scheme for the formation of the new Provincial Forest Service has since come to a definite shape and formal orders of Government constituting the service are expected to issue shortly. As I said in my last budget speech, the committee appointed in connection with the West Bengal Afforestation Scheme have already submitted their report with findings and recommendations which are however under the consideration of Government. I may point out that the recommendations of the committee require very careful examination in the light of the present Land Revenue System in Bengal, and, as such, it will take time to arrive at a decision in the matter. In my last budget speech I dealt at some length with the measures adopted by Government to meet the legitimate demands of the tenants in Chittagong. I have only to add that a committee to enquire into the question of grazing

in the district has since been appointed and that the numbers of paid *shikaris* and trackers appointed by Government to kill wild elephants in the Teknaf Range have been increased to five.

I cannot help mentioning here that for some time past a deliberate attempt has been made for political ends to stir up the villagers against the forest administration in the Chittagong and the Dacca-Mymensingh Forest Divisions. As a result of the agitation, there have been several cases of theft of Government property and assault on and even murder of forest subordinates in the Chittagong Forest Division and some cases of deliberate firing of Government reserved forests in the Dacca-Mymensingh Forest Division. Government have, however, taken all precautions that lie in their power to prevent the repetition of such occurrences in future. The House will perhaps agree with me that in spite of the precautionary measures taken by Government, the recurrence of the offences cannot effectively be checked unless there is active co-operation on the part of the people in the localities. I therefore appeal to the House and through them to the people in the localities to extend their co-operation to the Forest Department for the proper management of the forests which are a national asset of great value.

I now pass on to an explanation of the more important items of new expenditure included in the next year's budget. These are:—

(1) Increase in the lump grant for minor works. Government decided to include in the "Forest" budget a lump provision of Rs. 10,000 per annum for 5 years from 1939-40 to enable the Conservators of Forests to finance at their discretion minor works of the department. This amount having proved to be inadequate to meet the demand, it is proposed to increase the lump grant to Rs. 50,000 per annum for a period of five years with effect from 1941-42.

(2) Reorganisation of the Dacca-Mymensingh Forest Division. With a view to improve the future income of the private forests, known as Bhowal Forests, Atia Forests and Muktagacha Forests, which are now under the management of Government and in order to give those forests the technical treatment necessary to obtain the maximum financial results, it is proposed to reorganise the Dacca-Mymensingh Forest Division at a total extra cost of Rs. 45,388 and to provide a sum of Rs. 23,462 in the next year's budget to meet the immediate cost of the scheme. The entire cost of the scheme will ultimately be recovered from the proprietors of the forests concerned.

(3) Protection of the Dalapchen Slip, the Dalapchen Ridge area and the Development area in the Kalimpong Forest Division. In order to prevent further damage to the Dalapchen and other slips in the Kalimpong subdivision of the Darjeeling district the Conservator of Forests has formulated certain schemes regarding afforestation, fencing,

etc., of the slip areas at a non-recurring cost of Rs. 9,450 and a recurring cost of Rs. 7,416 which have already been administratively approved by Government. It is proposed to provide a total sum of Rs. 12,813 on account of these schemes in the next year's budget. With these words, Sir, I commend this grant for the consideration of the House.

Kazi EMDADUL HAQUE: I beg to move that the demand of Rs. 14,57,000 for expenditure under the head "10—Forest" be reduced by Rs. 100. I have not been in the thick of the forest, nor have I had an opportunity to be there up till now. So I cannot claim to have as much intimate knowledge of forest affairs as the Hon'ble the Forest Minister has, living as he does in practically a forest area. (Mr. ATUL CHANDRA SEN: He is of the forest.) Nor do I claim to know anything about the methods in which afforestation and deforestation take place; nor do I know whether there is any arrangement for adequate supervision of the affairs of the forest. I think, however, there is no adequate arrangement for the supervision as regards the felling of the trees in the forest, and the officer in charge of a particular department who is authorised to sell the trees allows or sells the coupe indiscriminately without making it a condition that only the ripe trees should be felled. We see the local merchants bring timber from the forest coupe and the trees that are brought are almost green and unripe and they are not durable. So practically when it is used for household purposes the owners of the houses find that after two or three years this timber gives way. So, it is a loss to the people who purchase the trees, and it is due to the indiscriminate felling of timber grown in our forests. If care is taken to see that only the ripe timber is felled and not the green ones, then such loss can be avoided. I hope the Hon'ble Minister will take due precaution in the interest of the department concerned as well as in the interest of the public that green and unripe trees are not cut down. It is the poor people who purchase such green timber for constructing their houses. Such timber becomes useless in two or three years and these people are put to a great loss. I hope adequate measures will be taken by Government in future to put a stop to such indiscriminate felling of timber.

Mr. H. BRABANT SMITH: Mr. Speaker, Sir, in my speech on this grant last year I was able to congratulate the department on their progressive policy towards roads. I note with much regret that there appears to be a decrease in this grant for 1941, particularly for the Northern Circle. This seems to me to be a retrograde step as, unless there are good roads in the forests, it is impossible to extract timber and other forest products.

I also note with regret that no additional money has been sanctioned for creeper cutting. Unless our forests are free from creepers, growth of trees will deteriorate and forests become unproductive.

Last year the Hon'ble Minister stated that the report of the West Bengal Forest Committee was under consideration. It would be interesting to know what decision has been reached, as this report has been well received in Dehra Dun and in England.

This year there has been widespread distress in Bankura and Birbhum, and it is significant to note the committee's remarks with regard to the forests in Bankura and Birbhum. Of Bankura the committee say, "in no other of the four districts are the processes of forest destruction and soil denudation so calamitously rapid as in Bankura; it is not necessary to venture upon any prophecy as to the number of years before the forest disappears, but anyone with eyes to see can tell they will not be many." Of Birbhum the committee say, "as regards its forests, Birbhum may be said to be in complete decadence. It will be appreciated that not a small part of the present trouble in Birbhum and Bankura is due to the process of forest destruction and consequent soil denudation. The important point to remember is that where there are thick forests something like 90 per cent. of the rainfall may be retained in the soil and 10 per cent. may run off" I would, therefore, like to have a definite statement from the Hon'ble Minister that he intends to go on with the Private Forests Bill proposed by the committee. Bihar has already, I understand, passed a Bill for the management of private forests, and I do not see why there should be this delay in coming to the decision in Bengal.

We frequently hear questions in the House about floods in the centre of the province, and the Hon'ble Minister for Communications and Works says that *bunds* will be raised and channels deepened.

Is this any use when every year more and more of the Himalayas are being washed down the rivers to again block up their beds? If this process of sudden floods and deposit of sand is to be stopped, it is absolutely necessary to carry afforestation of the catchment areas of the rivers.

The Forests Department have done good work in forming schemes in the Kalimpong area for taking over the catchment areas of some of the rivers; other areas should also be taken over, especially that round the source of the Lish river which has recently given a great deal of trouble. The main source of the trouble, however, lies in the denudation of the catchment areas of the large rivers in Bihar and the United Provinces, and I would like to know what steps are being taken to deal with this problem through the Inter-provincial Commission. What I should like to see would be co-operation of all departments to improve these conditions and Government to make a definite statement of their policy in regard to forests. Unless something is done, the province must look to bad days ahead.

Conditions in Chittagong are different. Here the Forest Department has given over large areas to the cultivators for planting rice.

As soon as the crops are planted, the cultivators demand a clearance of all adjacent jungles as they harbour wild animals who damage the crops. Where this has been done, the surface soil has been washed away in about five years and thereafter the cultivator has to build *bunds* to keep the subsoil out of his *khets*.

This means that all these slopes which previously grew forests are lost to the province. We are living on capital and destroying the fertility of the soil in those areas by these methods.

Here again co-operation of departments should be insisted upon. The Agriculture Deppartment should be called in at once to teach the cultivators how to plant these slopes with oranges, pineapples, napier grass and cachou nuts.

In conclusion, I would like once again to ask the department to declare definitely their policy as regards forests.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, I am grateful to the honourable members who have spoken on this grant for their advice. Kazi Emdadul Haque has referred to the question of felling of immature trees and he complained that the purchasers of such timber bear heavy losses. The Forests Department fells all sorts of trees, mature, half-mature, and immature. Immature and half-mature timber is cheaper, and it is natural that some people will prefer cheaper material. But I may tell the House that we have adopted a new scheme and under that scheme we are trying to reserve our forests and to grow good timber. I can therefore assure my friend, the Kazi Sahib, that after the scheme has been in operation for a certain number of years we will be able to supply better timber than at present.

Sir, Mr. Brabant Smith has complained that we have not provided more money for forest roads this year. As he has admitted, we spent a lot of money during the past few years on forest roads and have effected considerable improvement of roads which is necessary to bring timber out of the forests. If there is some decrease in the allotment made for next year, I can assure him that certainly it was not due to any negligence of the department in the matter of improving forest roads. I may also tell him that I shall bear in mind the request he has made and shall try as far as possible to provide money in future for the improvement of roads.

As regards the Western Bengal Forest Afforestation Scheme, I have already stated in my speech that the matter is receiving our best attention and requires sufficient and thorough examination. As to the Committee of Enquiry, we are considering the recommendations regarding what should be done, and as far as possible we shall try to hurry up the scheme.

The motion of Kazi Emdadul Haque that the demand of Rs. 14,57,000 for expenditure under the head "10—Forest" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. Prasanna Deb Raikut that a sum of Rs. 14,57,000 be granted for expenditure under the head "10—Forest" was then put and agreed to.

54—Famine.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,60,000 be granted for expenditure under the head "54—Famine."

Mr. ADWAITA KUMAR MAJI: Sir, I beg to move that the demand of Rs. 2,60,000 for expenditure under the head "54—Famine" be reduced by Rs. 100.

Sir, বর্ত্তমান রাষ্ট্রবিপ্লবের সময়ে দুর্ভিক্ষ ও মহামারী আনুষঙ্গিক ঘটনা হিসাবে এসেছে, কাজেই ইহার প্রতিকার সম্বন্ধে গভর্ণমেণ্টের সত্বর দৃষ্টি দেওয়া দরকার। নতুবা ইহার প্রকোপে আমাদের দেশ বিশেষতঃ পশ্চিম বঙ্গ শ্মশানে পরিণত হবে। আমাদের দেশের কোটী কোটী টাকা সাম্রাজ্যবাদী যুদ্ধের জন্য ব্যয়িত হোচ্ছে, কিন্তু সমগ্র পশ্চিম বঙ্গ আজ যে দুর্ভিক্ষপ্রপীড়িত হোয়েছে তাহার সাহায্যের জন্য বর্ত্তমান মন্ত্রিমণ্ডলী যে ব্যয় বরাদ্দ কোরেছেন তাহা উল্লেখযোগ্য নহে। বর্ত্তমান পরিষদে ২১শে মার্চ্চ তারিখে আমার একটী প্রশ্নের উত্তরে মাননীয় রাজস্ব-সচিব জানাইয়াছেন যে বর্ত্তমান বর্ষে পশ্চিম বঙ্গের বিভিন্ন জেলায় গড়ে কি পরিমাণ ফসল উৎপন্ন হোয়েছে, এবং কোন্ কোন্ জেলায় কত পরিমাণ সাধারণ কৃষি-ঋণ, অল্প মেয়াদে কৃষি-ঋণ ও খয়রাতি ঋণ দেওয়া হোয়েছে। যে ভাবে গড় উৎপন্ন ফসলের হিসাব করা হোয়েছে তাহা চমৎকার। একটা থানায় যদি একদম ফসল না হয়, আর পাঁচটা থানায় যদি কিছু কিছু ফসল হয় তাহোলে গড়ে সমান হোয়ে যায়। এই হিসাব একটু নূতন। মন্ত্রী মহাশয়ের উত্তরে দেখা যায় মাত্র ৬,৩০০৲ টাকা বর্দ্ধমান জেলায় খয়রাতি ঋণ দেওয়া হোয়েছে। সেখানে তিনটি মহকুমায় গড়ে ৩৭ per cent.এর কম ফসল হোয়েছে এবং সদর মহকুমায় 80 per cent. ফসল হোয়েছে। এই সামান্য অর্থের জন্য কাটোয়া মহকুমায় Test Relief Work অকৃতকার্য্য হোয়েছে। আর কৃষিঋণ যা দেওয়া হোয়েছে তাতে প্রত্যেক গ্রামের চার পাঁচজন লোক মাত্র প্রত্যেকে ৪।৫ টাকা ঋণ পেয়েছে, তাও সকাল থেকে সন্ধ্যা পর্য্যন্ত অপেক্ষা করার পর। এইভাবে কৃষি-ঋণ বিতরণ ভাগ্যের পরিহাস মাত্র। এখন অতিরিক্ত কৃষিঋণ দেওয়ার ব্যবস্থা করা উচিত। তারপর বাঁকুড়া জেলায় মোটেই Test Relief Workএর কাজ আরম্ভ হয় নাই, এবং সেখানে কোন খয়রাতি ঋণ দেওয়া হয় নাই। Tanks Improvemet Actএর ধারা অনুযায়ী যে derelict tank খননের দ্বারা Test Relief Work আরম্ভ করার কথা ছিল পশ্চিম বঙ্গে, আজ পর্য্যন্তও সে রকম কোন কাজ আরম্ভ হয় নাই। বর্দ্ধমান জেলার

অনেক যায়গায় লোক অনাহারে মারা গেছে সে খবর মন্ত্রী মহাশয়কে দেওয়া হোয়েছে। কাজেই পশ্চিম বঙ্গের বর্ত্তমান শোচনীয় অবস্থার প্রতি লক্ষ্য রেখে সত্বর প্রতিকারের ব্যবস্থা করা দরকার।

Mr. SASANKA SEKHAR SANYAL: Sir, I believe we are concluding with Famine and that is in the fitness of things, because after all, in spite of whatever is talked here of action and inaction and consideration, the major portion of Bengal is in the grip of terrible distress. My grievance is that the Hon'ble Minister has not been able to place all the famine-stricken areas on a uniform basis. I do not grudge that he has declared certain areas as scarcity-stricken. My grievance is that although in Birbhum certain areas have been declared to be scarcity-stricken, still the contiguous portion of Murshidabad, although the distress there is admitted, has not been declared as scarcity-stricken area. My constructive suggestion before the Hon'ble Minister will be this. Apart from the fact whether test relief is adequate or not—if it is not adequate we shall ask for a further grant —in the meantime may I warn the Hon'ble Minister against the possibility of further recurrence of distress in view of the fact that there is no indication of rain this year and if the almanac is to be believed the forecast of the astrologer is that this year will be a year of drought. Now, Sir, what is Government going to do? I would advise Government to take up the question of sinking a large number of shallow tube-wells in the affected area, so that there may not be a repetition of failure of crops as in the last year.

In this connection, Sir, there is one other matter to which I want to make a passing reference, particularly to the Chief Minister who is nowadays in charge of the Home Department. You know, Sir, that in previous years of distress, non-official relief committees are formed and relief is extended by non-official agencies. Most of them are congress workers. In the flood season and in the scarcity season they always went from door to door to organise relief; but to-day on account of the indiscriminate operation of the Defence of India Rules the principal workers of every district have been prevented, among other things, from associating with one another. As a result of that, workers who previously had a record of doing yeoman's service are practically mutilated. If not in any other interest, at least in the interest of formation of relief work, I would appeal to the Hon'ble Minister to consider the question of relaxing the rigidity of the Defence of India Rules, so that the volunteers may co-operate amongst themselves and may also indirectly help Government by organising extensive test relief work, because after all Government measures are not always adequate.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I do not admit that Government have not taken sufficient steps to tackle the famine situation in some of the districts in West Bengal. I had an

opportunity of mentioning this matter more than once on the floor of the House during the last one month. For instance, in the district of Birbhum, we have spent Rs. 1 lakh on gratuitous relief, and I do not think my honourable friends opposite will try to suggest that that is not a sufficient amount. We have decided to spend a large amount on re-excavation of derelict tanks to provide against future droughts. Similarly, we have taken steps in the district of Murshidabad for re-excavation of derelict tanks and also in the district of Burdwan and also in part of Bankura. Adwaita Babu has said that test relief works have not yet started in Bankura. I do not think his information is up to date, because I have information from the Collector that test relief works have already started in the shape of re-excavation of derelict tanks. As the time is very short, Sir, I just want to give once more the assurance that Government are fully alive to their responsibilities and they are prepared to spend any amount that is necessary to save human lives and give relief to the people in distress, but, Sir, if the rain gods are determined to baffle us, we are helpless. All that is humanely possible, Government have done and will do.

The motion of Mr. Adwaita Kumar Maji that the demand of Rs. 2,60,000 for expenditure under the head "54—Famine" was then put and lost.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that a sum of Rs. 2,60,000 be granted for expenditure under the head "54—Famine" was then put and agreed to.

9—Stamps.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that a sum of Rs. 4,59,000 be granted for expenditure under the head "9—Stamps" was then put and agreed to.

11—Registration.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 20,57,000 be granted for expenditure under the head "11—Registration."

The motion was then put and agreed to.

13—Other Taxes and Duties.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,52,000 be granted for expenditure under the head "13—Other Taxes and Duties."

The motion was then put and agreed to.

22—Interest on Debt and Other Obligations.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 7,000 be granted for expenditure under the head "22—Interest on Debt and Other Obligations."

The motion was then put and agreed to.

30—Ports and Pilotage.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,08,000 be granted for expenditure under the head "30—Ports and Pilotage."

The motion was then put and agreed to.

55—Superannuation Allowances and Pensions, 55A—Commutation of Pensions financed from Ordinary Revenues, and 83—Payments of Commuted Value of Pensions not charged to Revenue.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 86,80,000 be granted for expenditure under the heads "55—Superannuation Allowances and Pensions, 55A—Commutation of Pensions financed from Ordinary Revenues, and 83—Payments of Commuted Value of Pensions not charged to Revenue."

The motion was then put and agreed to.

56—Stationery and Printing and Depreciation Reserve Fund—Government Presses.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 25,12,800 be granted for expenditure under the head "56—Stationery and Printing and Depreciation Reserve Fund—Government Presses."

The motion was then put and agreed to.

57—Miscellaneous.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 13,89,000 be granted for expenditure under the head "57—Miscellaneous."

The motion was then put and agreed to.

63—Extraordinary Charges in India.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 7,52,000 be granted for expenditure under the head "63—Extraordinary Charges in India."

The motion was then put and agreed to.

Deposits and Advances.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 4,52,000 be granted for expenditure under the head "Interest Free Advances."

The motion was then put and agreed to.

Deposits and Advances.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 72,33,000 be granted for expenditure under the head "Loans and advances bearing interest."

The motion was then put and agreed to.

43—Industries—Cinchona.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 7,14,000 be granted for expenditure under the head "43—Industries—Cinchona."

The motion was then put and agreed to.

36—Scientific Departments.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 30,100 be granted for expenditure under the head "36—Scientific Departments."

The motion was then put and agreed to.

Mr. SPEAKER: The House will meet at 8-30 a.m. on Monday to discuss the supplementary demand and notice will be issued to remind the members.

Adjournment.

The House was adjourned at 11-35 a.m. till 8-30 a.m. on Monday, the 31st March, 1941, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 31st March, 1941, at 8-30 a.m.

Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 8 Hon'ble Ministers and 178 members.

Oath or affirmation of allegiance.

The following person took the oath or affirmation of allegiance to the Crown:—

Maulvi Golam Rabbani Ahmad, M.L.A.

STARRED QUESTION

(to which oral answer was given)

Women workers in Jagatdal Jute Mill.

***192. Mr. NIHARENDU DUTTA MAZUMDAR:** (*a*) Is the Hon'ble Minister in charge of the Commerce and Labour Department aware that a large number of women workers of the Anglo-India (Middle) Jute Mill at Jagatdal have recently been thrown out of employment?

(*b*) If so, will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the number of such women rendered unemployed;

(*ii*) the names of such women with reasons for their discharge against each; and

(*iii*) the number of years each had been in the service of the mill?

(*c*) Will the Hon'ble Minister please state whether any relief has been granted by the mill authorities to these women workers in the shape of—

(*i*) pension; and

(*ii*) railway fares?

(*d*) Has the Hon'ble Minister received any representation from any of the women workers?

(*e*) If so, will the Hon'ble Minister be pleased to state what step, if any, has been taken by him in the matter?

Hon'ble MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Yes.

(*b*) (*i*) 115 women have been gradually rendered unemployed over the past four months but they are registered for suitable re-employment when vacancies occur and a number have already been given work.

(*ii*) They have been discharged owing to the introduction of modern machinery in the preparing department which is unsuitable for women employees. I do not feel justified in asking the company for the names

(*iii*) Individual records not available, but the average service of the discharged workers is about 7 to 10 years

(*c*) (*i*) No.

(*ii*) The women are mostly married and large majority of them reside permanently in the mill area with their husbands and families who are employed in the mills; no application for railway fares has been received.

(*d*) One has recently been received from some of the workers.

(*e*) It is under consideration.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state in a nutshell the substance of the demands made in their representations?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, the question gives ample materials. A number of women have been rendered unemployed. They have been dismissed from service owing to the introduction of modern machinery for which they are unsuitable.

Mr. NISHITHA NATH KUNDU: I want to know what is the substance of their demands as contained in their representations.

The Hon'ble Mr. H. S. SUHRAWARDY: Their demand is for reinstatement.

Mr. ATUL KRISHNA GHOSE: In view of their unemployment at present, will the Hon'ble Minister consider the desirability of giving these women railway fares for going back to their respective homes?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not think that Government can be called upon to pay the railway fares, but if applications are received from those who have been removed from service in this manner, we can impress upon the Company the desirability of meeting their demand in this respect.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister consider the desirability of giving them some sort of compensation, if not pension?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir. Government cannot take upon itself the responsibility of the employers.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether Government has had any correspondence with the Company with regard to this question?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, they have had.

SUPPLEMENTARY DEMAND FOR GRANT.

Point of order.

Mr. MANMATHA NATH ROY: I rise to a point of order, Sir, with regard to this demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London air raid victims.

My submission is that this demand is not admissible under the provisions of the Government of India Act. The only section which might make it admissible is section 150 of the Act. Now the demand which is going to be placed before the House is a demand for a grant to the Calcutta Mayor's Fund for London air raid victims. Please note the words—"London air raid victims". I submit, Sir, that this demand for the relief of London air raid victims cannot in any sense come within the purview of the "purposes of India" for which alone the revenues of India or the provinces may be spent. I need hardly remind you of those well-known principles that statutes imposing obligations or burdens must be strictly construed, and in case of reasonable doubt such an interpretation should be made as is beneficial to the subject. And the subject here is the revenues of this province. In this connection, Sir, I would like to refer to Maxwell's "Interpretation of Statutes," 7th Edition, page 246, where the author has made it clear beyond any possibility of doubt that statutes which impose pecuniary burdens are subject to the rule of strict construction. It is a well settled rule of law that all charges upon the subject must be

imposed by clear and unambiguous language. In a case of reasonable doubt the construction made must be beneficial to the subject. And the subject here is the revenues of this province out of which the payment of the demand is asked for. In view of what is very clearly laid down in this book, Sir, I submit that the present demand which will be made by the Hon'ble the Chief Minister is not permissible under the provisions of the Government of India Act. A demand for the London air raid victims cannot be construed to be for the purpose of India. Section 150 of the Government of India Act clearly says that no burden shall be imposed on the revenues of the Federation or of the provinces except for purposes of India or some part of India. I have no doubt that you will agree that the expression "purposes of India" cannot cover the case of London air raid victims.

Rai HARENDRA NATH CHAUDHURI: I would only add one word more, Sir, and that is this. We are here to look to the purposes of India only and it is immaterial whether we are going to contribute to any fund started in India or not. We have got to look to the purposes only.

Mr. SURENDRA NATH BISWAS: On a further point of order, Sir. I submit that this is——

Mr. SPEAKER: Order, order, Mr. Biswas. I cannot allow a general discussion on this point. Two important members of the Opposition have already spoken on the subject, and if there is any other fresh point that you want to raise, you can do so afterwards.

Mr. SURENDRA NATH BISWAS: But my point of order is in this connection, Sir.

Mr. SPEAKER: Even then, I shall take that up as a new point and you may raise it after the Hon'ble the Chief Minister has spoken.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I propose, with your leave, to move this motion first and then to deal with the point of order that has been raised.

On the recommendation of His Excellency the——

Mr. SPEAKER: No, no, you cannot do that. The point of order must be disposed of first.

The Hon'ble Mr. A. K. FAZLUL HUQ: All right, Sir.

The point of order raised is that under section 150 (*1*) of the Government of India Act this motion asking for this particular grant is not admissible. The section says that no burden shall be imposed on the revenues of the Federation or of the provinces except for purposes of India or some part of India. Now, Sir, it is the considered opinion of this Government, as far as we have been able to discuss the legal aspect of the question, that what we have in view is permissible under sub-section (*1*) of section 150 of the Government of India Act of 1935. It is true that the final and conclusive interpretation of this section would only be given by the Federal Court or on appeal by the Judicial Committee of the Privy Council, but until an occasion arises for those courts to make a relevant pronouncement action has in any particular case to be taken on the basis of the best view that can be formed by the executive authorities as to the correct interpretation of the said sub-section.

The city of London, I may say in passing, has suffered very severely from air raids and the Mayor of Calcutta has started a fund for the relief of the victims of these air raids. Now, Sir, this fund is raised in India by Indians and for a purpose which, I submit, comes within the purview of the phrase "for the purposes of India" I submit, Sir, that the phrase is extremely wide and if the money is raised in India, that money shall be spent either in India or outside India provided that it helps any purpose which is beneficial to India or which helps India to maintain even her honour and dignity among the comity of nations of the world. The question is that India has got to play a great part not merely as India within the geographical limits of India but as an integral part of the British Empire as a country which has had a great past and which has got to play a great part and to hold her head high among the nations of the world. Therefore, Sir, I submit that once the fund is raised in India, it is competent to any one, a member of the Legislature, individually or collectively, or any person outside the Legislature to contribute to that fund and once the fund is there we place it at the disposal of the Mayor of Calcutta. I submit that there is nothing in the Act which binds the discretion of the Mayor to spend it for any object which he considers is a purpose of India. The object of the Government of India Act, 1935, is to limit expenditure within India. They would not have used the words "purposes of India"; they might have said "for any object beneficial to India to be spent within the limits of India." "Purposes of India", I submit once again, is very wide and it includes any expenditure which is beneficial to India materially, economically and even from the most sentimental point of view. I, therefore, submit, Sir, that the motion is quite in order.

Rai HARENDRA NATH CHAUDHURI: Sir, the scope of Mr. Biswas's point of order will be different.

Mr. SPEAKER: I think we better hear that point of order.

Mr. SURENDRA NATH BISWAS: Sir, under sub-section (*2*) of section 79 of the Government of India Act we find that every expenditure shall be submitted, in the form of a demand for grant, to the Legislative Assembly and if the demand is assented to, then under section 80 the Governor shall authenticate by his signature a schedule specifying the grant made by the Assembly.

Now, Sir, I find from the Explanatory Memorandum that the estimate of expenditure is Rs. 1 lakh. To-day is the last day and this has been put as a supplementary estimate, and this Rs. 1 lakh shall be spent according to the grant made by the Assembly within this year. Sub-section (*3*) of section 80 provides that no expenditure from the revenues of the province shall be deemed to be duly authorised unless it is specified in the schedule so authenticated. The demand being only for Re. 1, I submit, Sir, that this demand for Rs. 1 lakh is not in order.

Secondly, Sir, under sub-section (*2*) of section 80 this Assembly has a right to assent to the demand subject to a reduction of the amount specified therein. Now, Sir, the demand being for Re. 1 this right cannot be exercised. Supposing the House agrees to pay Rs. 50,000 and not Rs. 1 lakh, how can this House express its opinion with regard to that? Sir, the difficulty arises if the demand, as it has been put, is carried. We shall not be allowed to exercise our rights which we have got under sub-section (*2*) of section 79 to reduce the grant. So, I submit that the motion, in the form in which it has been presented, is not in order.

Mr. SPEAKER: I think I better dispose of the points which have been raised by Mr. Biswas. I take it that the first point of Mr. Biswas is that Government intend to pay Rs. 1 lakh by taking a token vote of Re. 1 and as such this House will not have an opportunity to consider whether it should pay Rs. 1 lakh or Rs. 50,000 for the purpose. I think that so far as that is concerned, if the expenditure is of such a character that Government is not entitled to make, the matter should be taken up before the Public Accounts Committee when the expenditure is incurred. For the time being, I have got nothing more to say beyond this that this question is not free from difficulty, but that is a question which can be considered at a much later time as to whether Government should be entitled to take a token vote and spend a sum of Rs. 1 lakh in circumstances which would deprive the House of an opportunity to consider whether it should pay Rs. 1 lakh as a whole or in part.

So far as the other matter is concerned, I am not very clear as to what Mr. Biswas means. I take it that this House is in full possession of the demand and has got a right to check it.

Mr. SURENDRA NATH BISWAS: Sir, the full estimate has not been put forward in the form of a demand.

Mr. SPEAKER: This is a well-known convention that in all financial transactions, where Government have got money available in other heads within the same demand they have got a right to transfer it or appropriate it from one minor head to another minor head. That is a matter for the Public Accounts Committee and not for this House.

The real point which has been raised is the interpretation of section 150. In a matter like this it is very difficult for me to intervene one way or the other, because the ultimate authority to interpret this Act is the Federal Court.

Rai HARENDRA NATH CHAUDHURI: But what is your view, Sir?

Mr. SPEAKER: I am coming to that. Please have patience.

Every constitutional provision has to be interpreted not merely with reference to the spirit of the law but also to the principle behind it. It all depends on how we look at the purpose. Does the phrase "purposes of India" mean the purposes of the geographical limits of India (Rai HARENDRA NATH CHAUDHURI: Yes, Sir.) or does it mean the purposes of India as a country? I am putting to you a concrete case. Suppose there is an earthquake or famine in China or Eastern Turkey or some other country and as a matter of international courtesy and from humanitarian point of view this country considers that in a matter like this we ought to send some relief on behalf of Government as a token of our deep sympathy with the distressed in those countries. Well, the question is: is that the purpose of India? Now, one can legitimately argue that it is the purpose of India for the simple reason that India has a status as a nation in the world and anything which affects the status of India as a nation with other countries is the purpose of India. In other words, the purpose of an individual is not the purpose of looking at himself, but looking also as a gentleman in the society at large, and the question is whether the country has a right, an inherent right, to so consider itself. It is always desirable that India should figure in the comity of nations as one in which the other nations do figure. I do think that if we restrict the interpretation of this section and the words "for the purposes of India" only as meaning directly and specifically for the material benefit of India, then, as the section stands, I am afraid, it would be a very narrow interpretation.

It is a well-known international custom to send relief to other countries. Supposing India is affected by a severe famine, she gets relief from others. Are we to be debarred from sending relief to others under similar circumstances? I consider that it would be for the purpose of India for the simple reason that we are merely reciprocating the feelings of humanity which the other country did. Standing on the same parity it is quite possible for us to send them relief. There have been many occasions in the past in which relief has come from different countries. As I say, in any case, that is a matter of interpretation. Whether the purpose of India means the restricted purpose of India or whether the purpose of India means the wider purpose which includes the existence of India as a nation is a matter which is to be decided by court, and I think I should not intervene by ruling out this motion. It should not be said that the House has not had an opportunity to give a decision as to whether the money should be paid or not. As I say whether the issue is this or that, in view of the legal opinion received by Government that the motion is in order, the Speaker will not be justified if he rules the motion out of order.

Mr. SARAT CHANDRA BOSE: I desire to place one further consideration before you in this matter. I submit, Sir, that you and I, rather you and we, are not concerned with any legal opinion which may have been taken outside the House. We have to accept your ruling regarding the interpretation of the section itself, namely, section 150. May I draw your attention to the words "except for the purposes of India or some part of India"? Obviously these words mean that the "purposes" are confined to territorial limits. Sir, if you read the whole sentence, it is clear that no burden shall be imposed on the revenues of the Federation or the Provinces except for the purposes of India or some part of India. The words "the purposes of India" relate to the Federation, and the words "some part of India" relate to the provinces. So, obviously, it is territorial. Further, I would like to place one other important consideration before you. We have to consider the old Act in order to find whether the powers given under the old Act have been curtailed under the present Government of India Act. The old Act was in these terms. Section 21 of the old Act provided "the revenues of India shall be applied for the purpose of the Government of India alone". These words are wider. They did not impose any territorial restriction because the words were "the purpose of the Government of India alone." Under section 150 of the new Act a territorial restriction is placed on the powers of the Federation and on the powers of the Province. This matter was considered by the Joint Parliamentary Committee and though it is not open to the Courts of Law to consider what was said and what was not said by the Joint Parliamentary Committee, it is open to you as Speaker of the House to consider that. The question was raised whether the cost of troops serving outside India

could be saddled on the Indian Exchequer. There was no question of territorial restriction; and it may well be that the Government of India was vitally interested in sending troops outside, because directly or indirectly the defence of India was involved. But here we are considering the question of the contribution to the Lord Mayor's Fund in London, eventually for the purpose of the Lord Mayor's Fund in London for air raid victims there.

The Joint Parliamentary Committee discussed the matter when the matter was brought before them, and they were of opinion that it might on occasions be in India's interests to make a contribution towards the cost of external operations, but that is a very different thing. In spite of the then existing wording of the old Act, the new Act did not follow the wording of the old. The new Act made a change in the old Act. The Joint Parliamentary Committee said that if therefore the question should arise of offering a contribution from India's revenue in the circumstances in which we are discussing and the interest in question did not fall in the other Reserved Departments of external affairs, we are of opinion that it would have to be ratified by the Federal Legislature. But that is a very different question from the present question where this House is asked to contribute a lakh of rupees to the Major's Fund here in order that the money may be remitted to the Lord Mayor's Fund in London. The matter which is raised now does not involve the defence of India either in the broadest sense or in any limited sense.

Mr. SPEAKER: It is a question which affects the status of India. We are asked to extend a sort of international courtesy.

Mr. SARAT CHANDRA BOSE: With great respect to you, Sir, questions of courtesy or humanitarian questions do not come into the consideration of a dry section like section 150. It is a section which says "no burden shall be imposed—it is mandatory—on the revenues of the Federation or the Provinces except for the purposes of India or some part of India". I beg leave to point out that the defence of India is not involved in the remotest degree. If it had been so involved then of course under the old Act such a contribution might have been made though the Joint Parliamentary Committee had doubts even on that. But the section of the old Act has been changed and the powers of the Federation and of the Provinces are limited to some purpose which either relates to the whole of India or some part of India. It is purely territorial. In that view of the matter, I say that so far as the present demand is concerned, it is entirely out of order under section 150.

Mr. SPEAKER: I am very sorry I don't agree with the Leader of the Opposition that the old Act was a wider Act than the present Act. On the other hand my view is that "for the purpose of the Government

of India alone" raises a much narrower and a more restricted issue than the words contained in the present Act, namely, "for the purpose of India". What is the purpose of India is never mentioned. Is the purpose merely defence, is the purpose only economic well-being or is the purpose only to live as human being, the wider life of a nation. One can very well say that we have a right to live as a nation and that right involves not merely the right of existence but also the right of extending international courtesy. In any case, all I say is this: the issue does not worry me whether the money is going to be paid to the Mayor's Fund in Calcutta, or the Mayor's Fund in London. I do not see any difference. Even if we directly pay to the Mayor's Fund in London, it would be quite in order. In the view I take I think it is for the purpose of India. If this section containing the words "for the purposes of India or some part of India" is interpreted to mean only territorial issue, then that interpretation does not appeal to me for this reason that in the administration of the constitution there are things which are beyond the letter of the law which have to be looked into. The whole principle behind the Government of India Act is Provincial autonomy in the financial domain, and if autonomy means that we can do everything but not extend international courtesy, then I am afraid this section has been rather badly drafted. But, as I say, it is not held that this section is such for the time being, till the Court declares otherwise, as to preclude items like this.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Re. 1 be granted for expenditure in the current year under the head "57—Miscellaneous".

As stated in the Explanatory Memorandum at the foot of the Supplementary Estimate, this demand of Re. 1 is made for the purpose of obtaining the assent of this Legislature to the payment of a contribution of Rs. 1 lakh to the Calcutta Mayor's Fund for the relief of London air raid victims. The head of account on which the proposed expenditure is debitable is "57—Miscellaneous", and as honourable members may remember, considerable savings are expected under this head in the current year. Although, therefore, no additional appropriation is required, Government, appreciating that the charge was of a novel nature, thought it fit and proper that the Legislature should be given an opportunity of discussing the proposal. The reasons that have led the Mayor of Calcutta to open a fund for the relief of London air raid victims are well known to the honourable members of this House, and I should like to assume that regarding the merits of the proposed contribution there will be no differences of opinion. But, Sir, I do not want to confine my remarks only to the constitutional aspect of the proposed expenditure, and I am making an appeal to the

Legislature on entirely humanitarian grounds. I maintain, Sir, that if I had come up before the House for a demand for even war purposes, I would have been within the purview of section 150 of the Government of India Act, but this demand is not for war purposes. It is for the relief of human sufferings which have been caused as a result of the war operations on Great Britain. I submit, Sir, that on this point humanitarian considerations should be so paramount as to take no notice of technical objections to the granting of this sum of Rs. 1,00,000. On this point, Sir, if there is even now some lurking suspicion that we are giving a much wider interpretation to the phrase "purposes of India" than the words do bear, may I point out to the House one important fact which I forgot to mention when I dealt with that point? I remember, Sir, the Joint Select Committee in their deliberations laid down very clearly certain aspects which induced them to change the phraseology of the previous Act and adopt the phraseology which we now find in the present Government of India Act. The Joint Select Committee in their Report, paragraph 178, says, "It might on occasions have the right in its general interest to make contributions towards the cost of External Operations". I submit, Sir, on the basis of that deliberation of the Joint Select Committee which formed the foundation of the present Act, India can pay a contribution towards the cost of External Operations. And I submit, therefore, that that would be a contribution for India's purposes of war. But, here, Sir, as I have pointed out, we are raising a fund in India by the Indians and placing it at the disposal of the Mayor of the Second City of the British Empire authorising him to spend this money on a humanitarian object, namely, to give relief to the London air raid victims. I submit, Sir, that the purpose is noble, the meaning of the words is plain, and I once more appeal to the House not to allow any considerations based on technical phraseology or interpretations of the sophisticated minds to stand in the way of giving effect to this proposal. I have been somewhat painfully surprised that on a question like this so much of legal controversy should have been raised. I thought, Sir, that the appeal was such that it would evoke immediate sympathy and assent But it is a painful surprise to me to find that the position is otherwise. However, I hope the House will ungrudgingly assent to this grant, and although we have discussed from the legal point of view, humanitarian considerations demand not to object to the payment of this money. If this appeal fails, nothing can succeed. And I place this demand before the House in the confident hope that it will get the support of the House, and in this hope I place this demand before the house for its acceptance.

Mr. NALINI RANJAN SARKER: May I move my amendment at this stage?

Mr. SPEAKER: I think it would be better if I took up the next motion of Mr. Sansaka Sekhar Sanyal first for it simply deals with the principles underlying the contribution whereas your motion is one which wants to make an actual reduction. Besides, his is a modest cut of one anna, but you want to take away fifteen annas. (Laughter.)

Mr. SASANKA SEKHAR SANYAL: Sir, I beg to move that the demand of Re. 1 under the head "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims" be reduced by one anna, and in this connection, Sir, I would like to discuss the principles underlying the contribution.

In placing before the House the principles involved, the question of legal principle comes out first and foremost. And if I propose to take up a portion of the time of the House on this question, it is not as a point of order merely which has already been discussed but also as one of the vital grounds for the reduction that has been proposed. Mr. Speaker, Sir, I have heard with considerable respect the illuminating discussion on the question of order including the observations that fell from you, but what strikes me is that in view of the intricate question about the point of law, was it not expected of the Government not merely to be satisfied in their own minds about the legal question; was it not expected of the Government to ask the Advocate-General to come and attend this House and to place his own opinion on this matter? The Hon'ble the Chief Minister in his usual nonchalant way has said that their interpretation of section 150 is such that it does not preclude their asking for this demand or the granting of this demand by this House. Well, Sir, the Hon'ble the Chief Minister may have been a lawyer at some time or other, but to-day on behalf of the Opposition we must emphatically repudiate the authority on the question of law which the Hon'ble the Chief Minister wants to arrogate to himself. The Advocate-General is a highly paid salaried officer of Government and of this House, and the Hon'ble the Chief Minister knew that this question of law was raised in the Upper House and that it would be raised and discussed in this House also. In view of that it was expected that the Advocate-General would be asked to attend to-day and place his opinion on the matter so that we might analyse and dissect his opinion and be in a position to offer our criticisms upon the same. The Hon'ble the Chief Minister has not even made it clear as to what is the authority of the opinions that he has received and he is guilty in the sense that he has placed before the House neither the two great opinions that he has received nor the authorities from which the said opinions have been obtained by Government. Sir, I shall be glad if the Hon'ble the Minister enlightens the House as to the source of the opinion that he has received even now. I do not know whether he is in a mood to state that, but still on behalf of the Opposition we claim that we are

not going to accept the opinion as sacrosanct unless the source of the opinion is placed before the House and the opinion itself. Sir, the Hon'ble the Chief Minister has expanded the scope of the section in his own convenient way and there were cheers from the European benches, chorus of "Hear, hear" and thumping upon the desk when the Hon'ble the Chief Minister raised the question of dignity of India and the integrity in war efforts. Well, these are words which may be very sweet and palatable to the European benches, but we on this side of the House are constrained to observe that "purposes of India" certainly cannot come within the four corners of the demand unless the purpose of India or a part of India is so extended as to make Indian flattery a purpose of India which is now sought to be mooted. The Hon'ble the Chief Minister made his position worse when he referred to the question of the external operations referred to in the Joint Committee's Report. Well, that external operation to have any connection with India must be such as may involve the Indian interest, at least the interest of a portion of India or Indians. Sir, the victims of London air raid cannot by any stretch of imagination be construed to be connected with India or Indian purposes excepting, as I have said, by way of Indian flattery to the European purposes.

Mr. Speaker, Sir, then I come to the question of principle. Much humanitarian platitudes have been expressed. Well, we do not mean to say that we have no sympathy with the victims of London air-raid, but, Sir, the question is if expression of sympathy is to be translated into an action which is a burden upon the exchequer of the province, mere sympathy will not do. Sympathy must be broadbased upon certain known principles of contribution. Sir, if we have got sympathy with the London air raid victims from the humanitarian point of view, we have no less sympathy with the German victims caused by unscrupulous air attacks of London people upon Germany's innocent citizens. (Cheers from the Opposition benches.) If we are talking from humanitarian point of view the victims of London and victims of Berlin must stand on the same footing.

Sir, on the question of India's dignity and humanitarian questions, the Hon'ble the Chief Minister waxed eloquent and there was reciprocation from the European benches. May I remind you, Sir, that our unfortunate country is annually visited by disasters upon which we have got very little control and the resources of the province, the assets of the province are too inadequate for meeting these disasters? Has there been any single instance in which the big European millionaires... (The Hon'ble Sir BIJOY PRASAD SINGH ROY: Many, many.) Through the Government? (The Hon'ble Sir BIJOY PRASAD SINGH ROY: Through the public.) Well, that is a different matter altogether. Sir Bijoy ought to know his position before he interrupts. (The Hon'ble Sir BIJOY PRASAD SINGH ROY: I know it.) Even here, Mr. Speaker,

you know that our executives are being used throughout the length and breadth of the province and monies are being collected in the name of Governor's fund and that money is going where we do not know. We have no control over the collections made by our own executive. Then we may say that for humanitarian purposes people make voluntary contributions. These voluntary contributions may go to certain purposes with which we have no concern. But when this House as the spokesman of this province is expected to commit to certain principles of contribution, I challenge the Hon'ble the Revenue Minister in spite of the nodding of his bald head to cite a single instance in which the Britishers either through the Parliament, either through the Mayor or through the Speaker of the British Parliament, made a single contribution. Sir, it is not very many years ago that there was the great Bihar earthquake. Our honourable colleague, then Mayor of the Calcutta Corporation, Mr. Santosh Kumar Basu started a fund. That fund was raised, that fund was run principally upon private contributions. Sir, will the Hon'ble the Revenue Minister, who was also a *persona grata* of Government at that time, recollect the old days and cite an instance of any contribution coming from the Mayor's fund of London through the vote and suffrage of the Houses of Parliament? (Cheers from Opposition benches.) If that is not so, well, our being called upon to contribute to a mushroom committee of London air raid victims—questions of humanitarian concern apart—stands out merely as an act of flattery and it does not stand upon any principle. Mr. Speaker, as I have said, huge sums of money are being raised through our executive upon no principles and this House has no control over the disbursement of these sums. When the question of contribution comes, we must not only protest against the proposed demand but also voice the protest of the province that huge sums are being raised over which the House has no control.

Then, Sir, the real question is this. It is not merely a question of contribution but a question of principle is also involved. Sir, indirectly attempts are being made through this demand to commit Bengal further to the war purposes. I submit, Sir, even if we pay, we would certainly not agree to contribute a single pie for the purposes of war, particularly in view of the fact that the Europeans for whom the Hon'ble the Chief Minister has expressed solicitude, those Europeans are adamant in their war purposes and in spite of repeated reasonable demands from the various platforms of this country the Europeans have not budged an inch in their war efforts. That being the position even if we pay we would not contribute a single pie to the fund which goes to Europe in the name of war and for war purposes. I could have understood if the Hon'ble the Chief Minister came with a demand for relieving our own men who are in England. Thousands and thousands of students who belong to this province and to this country are locked

up within the four corners of the British Isles. We do not know what is happening to them. We do not know to what extent they have been suffering from the air raids. We do not know how much of the money which has already been drawn out of private funds throughout the length and breadth of the province has been applied for the rescue and relief to our own men. Sir, we could understand if the Hon'ble the Chief Minister had come out with a demand with the specific object of extending relief to our own men. We do not know what arrangements have been made for the evacuation of our own men that have been locked up there. Sir, from the driblets of report that we read from time to time all that we know is that evacuation is going on in favour of the men of the Isles themselves. Their children and young men have been evacuated to a safer territory. But what about our children and young men who have been locked up in the British Isles? If this money was wanted for the specific purpose of relief and rescue of our own men, we could have understood; but we sternly refuse to be a party to a demand or a grant which far from touching any Indian purpose, either territorially or from the point of view of our Indian population, indirectly seeks to strengthen the British war efforts and India's obligation and the obligation of the province in the same.

Mr. Speaker, Sir, then there is another matter. From the demand you will find that savings are expected out of the provincial revenues. Well, Sir, when this matter came up, when Rai Harendra Nath Chaudhuri and other speakers on behalf of the Opposition pointed out the fictitious character of the deficit, the Hon'ble the Finance Minister presumably with the voice of the other Cabinet Members strongly pleaded for the needs of this money and he joined issue with regard to the alleged inflation of the expenditure, but, Sir, our apprehension and arguments have been more than justified by this single sentence in the budget statement as substantiated further by the speech of the Hon'ble the Chief Minister. So there the Ministry stands. The figures that have been given are inflated and the Miscellaneous Department's savings were anticipated from before, that is to say, within the four corners of the budget there was the plea for getting further money for the purpose of helping our British masters in their home-land. The Finance Tax, the Sales Tax was also criticised as a weapon for collecting money for extending war efforts because the purposes were not ear-marked. Sir, our position stands vindicated.

There is another matter. If this House in spite of our opposition really passes this demand, I say that we are not going to be a party to making over any contribution to the Mayor's Fund. We have no disrespect for the Mayor, but if this House is committed to any contribution, I do not know why the Speaker should not be entrusted with a Fund which is going to be a fund out of assent and consent of the

various sections of this House. That is also a matter which is a question of principle, and on that principle we strongly repudiate the claim of the Mayor in spite of his dignity and position to have any fund drawn out of the Exchequer through our suffrage. Sir, we do not know what will be the avenues of the expenditure. We know that the expenditure will go to the blind alley. We have no control over the Mayor. Even if we have no control over the Speaker in respect of certain matters, we have connection with the Speaker and by interpellation we can get information as to how the money is going to be spent. So, from all these points of view, we on behalf of the Opposition make the position clear that this demand is illegal, mischievously illegal, that it is injudicious, and that it is incompetent of this poor province, major portions of which are afflicted with famine and distress. To take further money out of the blood of this Province may be a good flattery to the European Masters, but it is a betrayal of the trust which has been entrusted to the members of this House.

Mr. NALINI RANJAN SARKER: Sir, I do not want to move my own motion. I shall only speak on the cut motion of Mr. Sasanka Sekhar Sanyal.

So far as the subject matter on which the demand is based is concerned, I have not got anything to say against it. I have every sympathy with the purpose and object for which the money is being wanted. The object is one for which I naturally have deep sympathy. The inhuman suffering, the terrible agony and the ordeal which the citizens of London are being subjected to cannot fail to strike a sympathetic cord in all human hearts. As human beings we cannot but feel deeply touched by the terrible sufferings undergone by people in England, Holland, France or anywhere else.

Sir, I do not want to mix up the moral and sentimental questions with the constitutional issue. Sir, the power of a Provincial Government or for the matter of that of any Government implemented by Statute is limited by the object for which the State is competent to incur any expenditure; and under section 150(*1*) of the Government of India Act the Government cannot incur expenditure except for the purposes of India. Sir, to the phrase "for the purposes of India" you have given a very extended and wide interpretation. So far as your ruling is concerned, I bow to that, but so far as the interpretation is concerned, I say that if that interpretation is accepted, it would be dangerous for the finances of India. Somebody may think that if we contributed towards a dance or music performance in Vienna, the nations of the world would like India's appreciation of the cultural aspect of the dance or music and to that extent India would rise in their estimation. Will we for this reason be competent to spend any money on dance or music at Vienna? Taking the line of argument

you suggested, the Indian National Congress might have sent the Indian Good-will Mission to China from funds obtained from the provincial exchequers, but as you know, Sir, they raised subscriptions and sent the mission with their own money. At that time there were six Congress Governments functioning in the Provinces, but nobody gave the interpretation that it would be constitutional to help China from the provincial finance. If this interpretation is made a precedent, I think the finances of India and of the Provincial Government are bound to go to ruin, and it was certainly not the purpose of the constitution-maker to give such large powers to the Provinces and to the Government of India to spend money like this.

Sir, the Assam Government made some contributions to the War Fund, but in the first instance the Speaker there ruled it out of order. But in a subsequent meeting the Government made it in a way which could, under certain circumstances, come under the purview of the Act and the motion was allowed. They made it on the ground that England's war was India's war. Under that interpretation they made the contribution to the British Government from the Provincial exchequer. I heard of one instance in which the Government of India made a contribution which, it was doubted, was not in keeping with the terms of the Government of India Act. But if my information is correct, they first approached the Auditor-General and persuaded him not to raise any objection on the understanding that the legal aspect of it would be left open. If anybody goes to the Federal Court, then it can be decided there. I think, Sir, that this is not the proper way of working the constitution.

I am very sorry to observe that I found the Hon'ble the Chief Minister saying that he was proposing to make this contribution in order to raise the status of Bengal in the Comity of Nations and he was cheered by the European Group. I quite appreciate that. Generally the European members claim impartiality, they claim justice and they also want to follow the constitution to the very letter, but when their own interests are affected in certain things, they have no objection to breaking the terms of the law.

As I have already said, I have nothing to say against the purpose for which the money is being raised. The Chief Minister has said that the Lord Mayor of London helped us in the past. Certainly we should acknowledge gratefully the help which we have always received from the Mayor of London, but not from the British Treasury. That money was raised from the citizens of London. Here also the Mayor of Calcutta may appeal and in fact he has appealed to the citizens of Calcutta to contribute to his Fund. He has said that Calcutta is sending it on behalf of its citizens. It is not the Government of Bengal or the Government of India that is sending the money. It is clearly a private fund raised for private purposes and I think Sir

it is not proper to spend any money from the Provincial Revenue towards a Fund which has been raised by the Mayor of Calcutta, by appealing to the citizens of Calcutta for the purpose of sending the proceeds to the citizens of London.

Even if the Government want to ignore the terms of section 150(*1*) and pay that money, I say if they so desire, they ought to send it direct to the Mayor of London or to the British Government and not to the Fund raised by the Mayor of Calcutta, because so far as I know the Mayor's Fund has up till now got only Rs. 13,000 and I do not think that the Provincial Government have got any obligation to bolster up that Fund. To-day the demand is going to be passed by the vote of the Coalition Party and by the Coalition Government. I want to ask one question: to that Mayor's Fund how much have the Coalition Party members or the Ministers contributed? So far as I know, with the exception of the Hon'ble the Chief Minister none of the Ministers has paid even a pie. With the exception of Mr. Ispahani and the Mayor himself I do not think any other member of the Coalition Party has contributed even a *cowrie* to this fund. The contribution so far made to this fund is only Rs. 13,000, and that sum was raised mainly from people outside this Legislature. It is a wonder, Sir, that only Rs. 13,000 could be raised so far, and that the Mayor of this great city could not so organise the collections as to raise a sum of Rs. 1,00,000. Sir, we have to learn the methods and the processes by which we can be successful in raising public contributions. We know, Sir, how a predecessor, Mr. Santosh Kumar Basu, had been able to raise a fund of several lakhs of rupees. Mr. Basu and others had made preparations from the very beginning and the whole thing was so well organised that a very good response was forthcoming. But so far as the present case is concerned, we know how it was organised; how the Sheriff's meeting was called and what was the audience. I would not be wrong if I say that in that public meeting we could only find the Hon'ble Ministers and a host of their liveried orderlies moving about prominently in the meeting. If that is the sort of public meeting by which you want to raise a public fund, shall I be wrong if I say that it was not organised in sympathy with the sufferers of London, but that it was organised only to bolster up the activities of the Mayor in raising a fund for the London air raid victims? Sir, if one finds that he cannot raise a decent sum, it is better that he should not undertake the task at all. I can appreciate the attitude that was taken up by Mr. Fazlul Huq when he, as Mayor of Calcutta, started a fund for the relief of the sufferers from the Quetta earthquake, for when he found that there was not much response to it he closed it down. He could not think of approaching the Government of Bengal or any other Government to put in lakhs and lakhs of rupees into his fund and then to

take credit in the name of the citizens of Calcutta from the citizens of Quetta. I know that the purpose for which the fund has been started is good; that the object on which the fund is going to be spent is noble; but the procedure adopted for raising contributions for this fund is defective. Everybody knows that a sum of Rs. 1 lakh is nothing as a contribution from the citizens of Calcutta. Everybody knows that had it been properly organised, a lakh of rupees could have been easily collected for a purpose like this. My grievance is that nothing was done except issuing a statement to the Press; there was no organisation and no effort; and now it has proved to be a total failure. Now, if the fund is closed or if sufficient money is not raised, the person responsible for it will be put to shame. That is why the Government of Bengal is in such hurry to contribute to the Mayor's Fund.

As I have already said, Sir, in my view it is absolutely against the purpose mentioned in section 150 of the Government of India Act to incur such an expenditure. Sir, the Mayor made an appeal to the citizens of Calcutta to make contributions to the Fund but the people did not respond. So the money is being contributed by the Government of Bengal which will be sent to the London air raid victims in the name of the citizens of Calcutta. If all these facts are made known, I think it will not be appreciated in London, not even the provincial Government's interest in the matter. Though the object is very laudable, I say things ought not to have been done in this manner. And if, even ignoring such clear provisions as embodied in section 150 (*1*) of the Government of India Act, the Government want to contribute one lakh of rupees to the Mayor's Fund, I think they should pay it direct and not through the Calcutta Mayor's Fund, because the Mayor's Fund concerns the citizens of Calcutta and not the people of Bengal as a whole.

Mr. DAVID HENDRY: Mr. Speaker, Sir, I should like to express the appreciation of the members of this party of the generous impulse which has actuated the Ministry (Mr. NIHARENDU DUTTA MAZUMDAR: Question.)..... in bringing forward this supplementary demand. Sir, I do not intend to enter into the legal disputations which have been evoked this morning, but I am perfectly prepared to accept your ruling and the interpretation which the Chief Minister has given us of the relevant section of the Government of India Act. As a non-lawyer member of this House I should have thought that it was not intended that the Government of India Act should prohibit the Government of Bengal or any other Government from entering into any domain having a humanitarian object such as this.

Sir, the deliberate destruction of civilian homes is a very dreadful thing. I have experienced bombing myself in the last war, and I can

assure you that it was a very unpleasant experience. But bombing in the last war was a very mild thing compared with the high power bombing of to-day; and the bombing of soldiers on the field of battle such as I experienced was free from the horrors associated with the bombing of a civilian population in crowded towns.....

(At this stage Mr. Niharendu Dutta Mazumdar made some remark.)

Mr. SPEAKER: Mr. Dutta Mazumdar, in the very first sentence of Mr. Hendry's speech you interrupted him questioning his statement and there have been two more such interruptions and this is the fourth occasion when you have interrupted him.

Mr. NIHARENDU DUTTA MAZUMDAR: I am entitled to question.

Mr. SPEAKER: You are not; and if you do so again, I shall have to take necessary action.

Mr. DAVID HENDRY: When in the critical days of last Autumn the German air force was defeated decisively by British fighters over Britain by day—in many cases a number of these fighters in Spitfires provided by the contributions to the East India Fund from this province,—the enemy turned their attention to the indiscriminate bombing of towns by night, concentrating their efforts on the bombing of London itself, the hub of the Empire. Furthermore, the bombing was concentrated to the greatest extent on the poorer and more crowded parts of the city with the avowed intention of breaking the spirit of the people. That that bombing has failed in its purpose is now a matter of history, and, in fact, it has had an entirely opposite effect. The fortitude with which the people of London have borne the terrible wounds inflicted upon them has aroused the admiration of the whole world, and neutral observer after observer has expressed his astonishment at the courage and steadfastness shown by the people of London in their trials which we in this country know nothing of. But, Sir, the shattering of homes and the distress among the air raid victims is a very real thing and calls for more than our admiration; it calls for our helpful sympathy. By their courage and steadfastness these people of London have placed the first real obstacle in the way of Nazism, which is now spreading like a blight over the greater part of Europe and threatens the whole world. Their ideals are our ideals whatever our race or creed, and we must support them.

That this great city of Calcutta should hold out a friendly and helping hand in these circumstances to London with which it has so many associations is therefore a kindly and timely act, and one which, I hope, members of this House will support and facilitate; for in

similar circumstances, I am sure the city of London itself would be the first to reciprocate, and we all remember the timely and generous support given by the city of London to sufferers in the Bihar earthquake. In my opinion the legal point that has been raised is merely an academic question, and what I consider to be of importance is some generous action on our part and not a dabbling in legal quibbles.

The suggestion which has been put forward by Mr. Sarker that this contribution should be given direct to London by the Government of Bengal rather than through the Mayor's Fund is quite understandable, but it is one with which I am afraid I cannot quite agree, although there is much to be said for it. This contribution, Sir, is as much a gesture, a humanitarian and kindly gesture, from one great city to another in distress as it is a substantial measure of financial assistance, and in my opinion it is much more appropriate that this gesture should be made from the city which is the capital of the province than from the Government of the province itself.

With these words, Sir, I beg most heartily to support the motion brought forward by the Hon'ble the Chief Minister.

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, Sir, the motion under discussion is a very delicate one in view of the fact that the question of international courtesy and the question of humanitarian point of view have been dragged in. Sir, I am very glad to listen to the speech of my European friend who after all has now realised the horrors and terrors of air raids in London. (Cries of "Hear, hear" from the Opposition benches.) But it is already too late for him to realise that. Where was this European gentleman when poor Abyssinia, the whole of Ethiopia, was bombed and gassed by Italians a few years ago? Where was this European friend when innocent persons of the North-West Frontier Province were actually bombed and the civilian population of women and children were killed? (Cries of "shame, shame" from the Opposition benches.) I for myself have every sympathy for the air raid victims of London, but I have equal sympathy for the air raid victims of Berlin, (Cries of "Hear, hear" from the Opposition benches) Albania, Libya and Somaliland and other places. I would have been very glad to contribute to the Mayor's fund if the scope of that fund had been extended by the Mayor of Calcutta and if it had been named "Air-raid fund for the air raid victims of Europe, Africa and Asia". Nearer home, we must have sympathy for China's air raid victims. What attempts have been made by the Government of Bengal, particularly by the Chief Minister of Bengal, to give relief to the air raid victims of China where raids are still going on?

Sir, we are perpetual victims of slavery and consequently we are victims of flood, drought, famine and other fell diseases like kala-azar, malaria and the like, but, Sir, the Chief Minister of Bengal must realise the poverty of Bengal. In spite of the fact that there are difficulties for voluntary contribution towards the War Purposes Fund, still Bengal has contributed her mite to that fund and we know how that fund has been raised. Times without number we have drawn the attention of Government that in the name of voluntary contributions exactions have been made by the executives for raising funds for the War Purposes Fund from the poor people of Bengal. Sir, I could have understood the Chief Minister's position if he had started another fund in the name of the Chief Minister's War Purposes Fund. Why, Sir, will the people of Bengal contribute money from the provincial revenues for a fund started by the Mayor of Calcutta? The Mayor of Calcutta is quite competent to raise a fund from the rate-payers of Calcutta, and I am sure the rate-payers of Calcutta will not lag behind in responding to the appeal of the Mayor for raising a substantial fund for the victims of air raids in London. Why should the Government of Bengal come forward to help in the fund that has been started by the Mayor? Let the Chief Minister of Bengal start a fund for himself and try to raise money not from the provincial revenue or from the people of Bengal but from the members of this Legislature belonging to his party.

Sir, as a member of this House I have no sympathy, I have absolutely no sympathy for nations who have no sympathy for India, who have no sympathy for the other black nations of Africa and Asia. I have no sympathy for Germany. That I can say here and now. And equally, if that question is raised, I have no sympathy for the English people who have been taught a lesson by their own people, by a nation of Europe, and I do not know how far they will proceed. The days are not very far off when they will be paid in their own coins and no amount of Mayor's fund or the Chief Minister's fund or money from the provincial revenues or from the Government of India will be able to render them any help in the onslaught that is before them.

Sir, this motion must be opposed on principle. One lakh of rupees from the provincial revenues is not a very big amount, but it must be opposed in the sense that if the string of purse of the Provincial Government is once let loose there will be no end of it. This is a token demand and if this token demand is once approved by this House this Government as a mere matter of flattery will be going on helping war purposes in Europe from time to time. We shall not, I say, allow this under any circumstances. The Government of Bengal have already warned the people of this province, particularly the city of Calcutta that there might be air raids in Calcutta and they have said in their notification "bombs may fall on your house". So, we have

to think of our own victims, we have to think of our own houses, and it has been proved that Britishers are no good in protecting this country or this city. They have failed in their mission. Now when we find that the Britishers in Calcutta, in Bengal and in India are utterly exhausted and have not the other advantages of life, then we will consider the question of helping the Britishers. Now, Sir, they are quite solvent; they can afford to contribute lakhs and lakhs of rupees which they are exploiting from the Indians, particularly from the people of this province; they should come forward to help their own people in their distress. This small amount of Rs. 1 lakh can very well be contributed by the Europeans themselves. (A voice from the Krishak Proja benches: A single one can do it.) I do not know how much money they have contributed for aid of air raid victims of London.

With these words, Sir, I strongly oppose this motion.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker. Being the chief culprit of the subject of the debate this afternoon, I am grateful to you for permitting me to give one or two explanations as to the *raison d'etre* of this fund for the relief of victims from Air Raids on London. But before I do that, may I point out to the honourable Whip of the Opposition that after thundering loudly on the principle of law that the Government would not be acting correctly if it contributed out of provincial revenues to any funds outside the province or outside the country, he gave up the ghost at the end of his speech? His argument ultimately boiled down to this that if the Mayor sent the money it would be wrong but Mr. Speaker, if you did it, then he would ask for leave of the House to withdraw his motion in spite of all the legal objections he has placed before us. (Interruptions from the Opposition benches.)

The speech of the honourable member for the National Chamber of Commerce is a bit incomplete. I wish he had added night clubs to the list of dance and music clubs. It is a pity he could not rise to the height of the occasion to-day and assist the House in coming to a correct decision on the problem that we are discussing. I am not in the habit of prying into the secrets of Government. I do not know how he found out that His Excellency the Viceroy was going to shake hands with General Franco and how his Excellency managed to get round the Auditor-General of India. I am not concerned with that and I do not want this debate to be discussed and voted upon from the low standard to which he has tried to drag it down. (Cries of "Hear, hear" from the Coalition Benches.) My brain is not bounded geographically by the Himalaya and the Indian Ocean. I have always looked at India on the wider background of the whole world. The

Brahminical mentality which has kept this country down for thousands of years has led us to eternal and perpetual servitude. Hon'ble members who have spoken to the resolution to day——

(There were disturbances from the Krishak Proja Benches.)

Mr. Speaker, Sir, I hope you will see that my time is not taken away.

Mr. NARENDRA NATH DAS GUPTA: I want to know from you, Mr. Speaker, what right has the honourable member got to talk of Brahminical mentality and other things?

Mr. ABDUR RAHMAN SIDDIQI: If the honourable member cannot rise up to the standard of my argument, he had better keep to his seat and try and learn to understand it. Mr. Speaker, I hope you will not take away my minutes. The point I was trying to make is this. People who cannot look at India as part of a bigger world had better try and learn. If honourable members opposite cannot understand this, may I point out to them that India is one of the foundation members of the League of Nations, and that the contributions India has made to that body from year to year have been the biggest that the League gets or used to get? Honourable gentlemen opposite will perhaps think that I am one of the devotees of the League of Nations. If they had known what I have said and written about the League of Nations, I do not think all of them put together could utter even half of what I had said. But that is not the point, Sir. The point is a gesture—that is the word used by the honourable member who spoke on behalf of the European group. May I qualify that gesture? It is a gesture of gratitude. The Mayors of London have come to the assitance of India at every critical juncture and in every calamity. I think that in the horrors of the war in which women and children and civilians are being slaughtered and killed, it will be just an act of gratefulness on our part to come forward and make this gesture. May I also inform the honourable member for the Bengal National Chamber of Commerce that the fund began with the promise of this one lakh of rupees? There can thus be no question of bolstering it up. Even if I had succeeded in collecting only Rs. 5,000 and not Rs. 13,000, as has been found out by him, I would have been a happy Mayor. Even if I had sent Rs. 5, I would have been a happy man because I felt that our pride over Calcutta being the second city of the Empire would not be justified if we did not go to the assistance of the Lord Mayor of the first city, that had come to our help more than once. Why the Fund has remained at Rs. 13,000, and why I have not been able to organise it, as a predecessor of mine did in the matter of the Bihar earthquake, is a point which I should not like to speak about. My unfortunate handicap in this great city of ours is that I happen to be

a Mussalman. They cannot realise that even a Mussalman has a heart and possesses sentiments. There is suppressed animosity on every side. The torpedoing of every ideal and dream of a Mussalman is considered an achievement and deliberately tried. That being the case I consider this Rs. 13,000, if the figure is correct, to be equal to Rs. 13 lakhs. Speaking again as an old member of an international organisation, the Red Crescent Society, of which I have been a member from so far back as 1913 and in which my interest has continued, I felt that this was the time when, having regard to the fact that the Congress and the League had not yet arrived at any definite conclusion, at any definite decision, due mainly to our own lethargy, which was humiliating, to the indecisiveness of the Government of India or even, if you like, to the intrigues of the Government in Whitehall, we could and should go to the help of the civilian victims of air raids in London. The Mayor's Fund, Sir, was purely humanitarian and entirely non-political. It gave a chance to every person, whatever his political views, to repay, in a humble way, the debt India owed to London, for kindnesses received in the past from its citizens. There is also another reason given by the Whip of the Opposition, why we should support the motion of the Hon'ble the Chief Minister. There are Indians also in London. Some members of my own family are in London. The house in which my cousin lived was bombed. The building in which my own office is has been bombed. Looking to this aspect of the matter I did feel that it would be an act of grace and generosity to send a message of sympathy. Rupees 1,13,000 do not matter so much to the Mayor of London. Even Rs. 5, sent with a generous heart, would be welcome.

There is another viewpoint to this problem. The Congress and the League have been meditating for long but to no purpose and without any result. The whole of India has gone to the assitance of England. Our boys are fighting on many battlefields in Europe, Africa and Asia. India is thus a party to this war, whether with or without our consent is now almost a past chapter. Industrialists and merchants of all shades of opinion have rushed to take advantage of the situation created by the war. Even now and indeed in these days of horror Londoners are sending all sorts of presents to our boys. Is it too much to send Rs. 1,13,000 if friends do not come forward to help me further and to let me tell the Lord Mayor of London that there are hearts in Calcutta beating in unison with his in the matter of the sufferings, not of the soldiers because they are determined to die if need be, but of the civilian population of London, in which we have also got at least a few, if not many, Indian men, women and children. I can speak on that point with some knowledge, because I have spent 17 years of my life in London. We have our quarrels with the politicians in Whitehall, but those among the honourable members who have gone to London must have realised that the average citizen, the man in the

street, the shop-keeper and the bus-conductor are very lovable characters. It is to them, their wives and children that my heart goes out. I would appeal to the honourable gentlemen opposite and certainly to honourable friends on this side of the House to give their unstinted support to this gesture of gratitude, to this gesture which will give us the right to be heard in international organisations and to establish a basis of reciprocity for the future. This gesture will lead India out of the very limited and restricted bounds in which they have kept her for five thousand years. China and other places have been mentioned. I agree we should have gone to the help of China, but that is another matter altogether. Bombing of the people on the Frontier is a matter on which there can be no two opinions but this point too is extraneous to the one now before us. Let us isolate it if we can. The words "purpose of India", as the section has it, does include grants of the type under discussion for it adds to the prestige, dignity and greatness of the land we live in. The honourable member for the National Chamber of Commerce did bow to your ruling, but he questions its interpretation. That sort of argument does not appeal to me; that sort of argument makes the debate cheap and low. Whether the House would like the Mayor to send it or whether we would like you, Mr. Speaker, to send it or whether we authorise the Government of this province to send the money is beside the point. My appeal is: let the money go: let Bengal feel that, God forbid, if there is a calamity here, there will be persons in London who will extend a helping hand to us and send forth a message of sympathy to us in our agony.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, the issue raised by the Hon'ble the Chief Minister is such a serious and fundamental constitutional issue that I feel it is not necessary for me to make any apology to this House for intervening in this debate. I heard the Chief Minister say once or more than once that legal opinion had been taken. I wish he vouchsafed to the House the name of the learned lawyer who gave that opinion, because so far as legal opinions are concerned, much does hang on the name. I wanted and I still want to know from him, and I pause for a reply, whether the legal opinion to which he referred emanated from the learned Advocate-General of Bengal: I pause for a reply..... ... ..(There was a pause, but no reply was forthcoming.) (Cries of "No reply" from the Congress Benches.) .....If that is so, Sir, I may take it that the learned Advocate-General has not expressed any such opinion. And under the Constitution may I remind the House that it is the duty of the Advocate-General to give advice to the Provincial Government upon legal matters and to perform other duties of a legal character as may from time to time be referred to him or assigned to him by the Governor? But whether it is the Advocate-General or not, what I am going to say is—and I say so with a full sense of responsibility—that any legal opinion to

the effect that this money is properly payable from the Provincial Exchequer is not worth the paper on which it is written. When my learned and honourable friend, Mr. Sasanka Sekhar Sanyal, was addressing the House, I heard interjections on questions of law from the Hon'ble the Revenue Minister——

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, it was on questions of fact.

Mr. SARAT CHANDRA BOSE: I disdain, Sir, to reply to interjections coming from that quarter.

We are concerned with a serious and fundamental constitutional question, and as a member of this House and as the Leader of the Opposition I am entitled to demand that Government should place before the House the best legal opinion available in India before Government comes forward with a demand of this nature.

The Hon'ble the Chief Minister referred to the Report of the Joint Select Committee, paragraph 178——

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. With the greatest respect to the honourable the Leader of the Opposition, is he not impugning the ruling of the Chair that it is within the competence of this Government and of the House to put in such a demand and vote on it?

Mr. SPEAKER: I have already stated that the question is a difficult one and that until the matter is finally settled by a judicial pronouncement it is difficult to give a correct interpretation of it. I held the motion to be in order because I did not want to shut out the right of debate which the House possesses and I further held that it was a matter in which it was open to any member to persuade any other member to accept the former's view.

Mr. ABDUR RAHMAN SIDDIQI: On a point of order, Sir. After a ruling has been given by you, can anybody call it to question on the floor of the House?

Mr. SPEAKER: I have already stated that I hold the motion to be in order on the ground that it is certainly not the function of a Speaker in such circumstances to take the responsibility of shutting out a debate. Therefore I held that it was in order. But I still hold that the matter is one which it is for the House to decide. (Applause from the Opposition Benches.)

Mr. SARAT CHANDRA BOSE: The Hon'ble the Chief Minister referred to paragraph 178 of the Report of the Joint Parliamentary Committee in the course of his speech. May I tell him that I have read that paragraph again and again. That paragraph is to this effect: that the Joint Parliamentary Committee were of opinion that it might on occasions be in India's general interest to make a contribution towards the cost of external operations. We can well imagine that on occasions it might be in India's general interest from the point of view of India's defence to make a contribution to the cost of external operations. But the present picture is a very different one. The House is not being asked to contribute towards the cost of external operations which might be made from the point of view of defence of this country or the defence of this province, but the House is being asked to contribute through the Mayor of Calcutta to the Lord Mayor's Fund in London for Air Raid victims. If this is not, in the opinion of the Hon'ble the Chief Minister, driving a coach and four through the Constitution Act, I do not know what is.

Now, Sir, I shall in passing refer to one observation of the honourable Mr. Siddiqi who happens to be the Mayor of Calcutta. I wished when we were discussing a serious question of this nature he had not brought in the perennial and vexed Hindu-Muslim question——

Mr. ABDULLAH-AL-MAHMOOD: It was first raised from your side of the House.

Mr. SARAT CHANDRA BOSE: No it was not raised, I say definitely, from this side of the House.

Sir, it is quite sufficient to point out that one of the contributors to the Mayor's Fund is Sir Manmatha Nath Mukherji, the President of the Hindu Mahasabha in Bengal. Now, as Mr. Siddiqi has raised this question, may I ask how many Muslim friends of ours have contributed to this fund? Is it not an irony of fate that whereas he and others are talking of humanitarian objects and principles, he has failed to raise anything more than Rs. 13,000 in this second city of the Empire? I may be pardoned if I prefer to the efforts made by one of his predecessors—I mean my esteemed and honourable friend to my right Mr. Santosh Kumar Basu—efforts which have been praised from quarters which were not lavish in bestowing praises on Congress Mayors. This is what the Government of Bengal's Administration Report of 1933-34 says: "This was largely due to the broad view and responsibility taken by the Mayor of Calcutta, Mr. Santosh Kumar Basu, who worked with great zeal and energy to make the Relief Fund an unqualified success. As a result of the appeal issued in his name a sum of seven lakhs of rupees was raised and hundreds of doctors and salvage workers with equipments were sent to the affected areas."

And may I add, Sir, Mr. Santosh Kumar Basu did not go on bended knees before the then Government of Bengal for a contribution towards the Bihar Relief Fund?

Now, Sir, much has been said by my friend to the left, Mr. Hendry, about bombing on civilian population. May I ask him not to go back to ancient history but to comparatively recent history? May I ask him to read the records of the League of Nations and find out for himself if it is not a fact that when the League of Nations were prepared to put a ban on bombing on civilian population it was Great Britain who opposed that ban? (Cries of "shame", "shame" from the Opposition benches.) May I ask him to look into the records of the Indian Legislative Assembly and to find out for himself if it is not a fact that time and again when the matter was raised in the Central Legislature and the opposition party including the Congress wanted to put a ban on bombing on civilian population in the North-West Frontier Province and in the borders of India, it was the Government of India who opposed that? (Cries of "shame", "shame" from the Opposition benches.) Sir, it is idle for my friends to the left to talk about the horrors of bombing on civilian population. Their own history belies all that they have said on the floor of House to-day. Sir, I am entirely at one with those of my friends on all sides of the House who spoke on the humanitarian objects of this grant. As regards that there is no issue before the House. We do not join issue so far as the humanitarian object is concerned. I would have been glad personally if all sections of the different communities representing the House had through their own resources, through their own efforts, contributed not merely one lakh but lakhs and lakhs of rupees to humanitarian objects as the city contributed at the time of the Bihar Earthquake Relief. But, Sir, that is another question. The question before the House is a very limited one and may I draw your attention and the attention of the House once more to section 150? That section is even more limited in my submission than what might appear on a first reading of it. So far as the provinces are concerned the purposes are limited in this section to the particular province itself and not to the whole of India, because the words are, "No burden shall be imposed on the revenues of the Federation or the provinces except for the purposes of India or some part of India" and I may correctly add after those words the word "respectively." That, Sir, is the construction to be put on section 150. You may give full play to imagination, as full a play as you desire, but I ask you, I ask the members of the House to consider in all seriousness whether they are going to lay down a wrong precedent which may be further abused as time rolls on. No one objects to members of the House sitting in a room outside this chamber and contributing their mite towards the relief of the victims of the air raid. But so far as this House is concerned, Sir, I submit, a mere

reading of section 150 of the Constitution Act is a settler. And I hope, Sir, it will be maintained by members, and if not by members, by some authority outside the House that this purpose is a purpose entirely foreign to section 150 of the Government of India Act.

Sir, there is one other point on section 150 which I desire to raise. When the Constitution Act talks of the purposes of India or some part of India, it is an elementary rule of construction that the purposes are to be found within the four corners of the Statute. Is the Hon'ble the Chief Minister able to point out one single section of the Constitution Act and in order to satisfy the House by as broad an interpretation as possible that there is a single section in the Government of India Act which gives support to the construction which he seeks to place on section 150? Sir, the point of view of the Opposition has been explained by the Chief Whip of the Opposition, Mr. Sasanka Sekhar Sanyal, and I do not want to repeat what he has said. But I do desire to give the House a warning that on questions of a constitutional nature humanitarian objects or other similar objects do not come into play at all.

With these words I support the motion moved by my esteemed and honourable friend Mr. Sasanka Sekhar Sanyal. (Loud applause from the Opposition benches.)

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, as I explained to the House when moving this motion, the expenditure is sought to be met from the head "57—Miscellaneous" and that we expected considerable saving under this head and therefore the money could have been paid by the Government on its own responsibility without bringing this matter for the consideration of the House. But we thought that in incurring an expenditure for which, I admit, there is not yet any precedent, it would be advisable to let the representatives of the people of Bengal assembled in this House to express their views whether this expenditure should be incurred or not. I have been told that the people of Bengal might have raised funds and sent through the Mayor of Calcutta not one lakh or two lakhs but lakhs and lakhs and that would have been a far more satisfactory method than paying this sum out of the provincial revenues. Sir, may I ask the Leader of the Opposition, is it not open to the representatives of the people of Bengal assembled in this House to decide that till we can raise such a fund money may be paid out of the provincial revenues which, after all, are made up of contributions from the various sections of the people of this province. It is after all the vote of the people that counts and I say it with a full sense of responsibility that this House is representative of all the opinions that might have been formed in the province, is representative of various sections of the House and the view of the majority is the view of the people of Bengal. It is for

this reason that we have brought out this motion for the consideration of the House. I have been repeatedly asked, not merely by the Leader of the Opposition but by several members, to disclose the names of the lawyers who have advised us in this matter. Sir, I am not in a position to do so, because I do not see the necessity of obliging my friends in this respect. But, Sir, if the Leader of the Opposition, in view of the fact that he happens to be an eminent Advocate of the Calcutta High Court, can arrogate to himself the position that whatever he says on a legal question is absolutely the final word and if he dares to say that any other legal opinion that has been expressed is not worth the paper on which it has been written, I as a humbler individual who has had the privilege of knowing something of the intricacies of legal interpretations, as one who knows the meaning of English words and who in his own humble capacity has had occasions to put interpretations on phrases of Acts of Legislature can say—and I say this with a full sense of responsibility and with all the confidence that I can command—that we, the members of the Cabinet are fully satisfied that the expenditure comes within the purview of section 150 of the Act. (Cheers from Coalition benches.)

Sir, apart from the legal opinion that was available to us locally, I am fortified by the opinion of the Advocate-General of Assam. But what is more the question was referred for interpretation to the Secretary of State for India in Council by the Government of India. The Secretary of State for India must have taken the best legal opinion available in London and has forwarded the interpretation for the benefit of the Government of India and of the Local Governments subject of course to whatever interpretation may be given by the Federal Court or by any local court. The following conclusions have been reached in consultation with the Secretary of State for India by the Government of India and are now communicated to the Provincial Governments for their information. What the Secretary of State has forwarded to the Government of India is this:—"The words 'for the purposes of India, under section 150 (*1*) of the Act can in practice be construed as including any activity the pursuit of which is in the country's interests. Such interests need not necessarily be in the nature of a specific and measurable benefit and would include among other things broader considerations affecting the reputation and dignity of India in the comity of nations." I take my stand on this interpretation which has been forwarded to us by the Secretary of State in consultation with the best legal advice that is available in London. This interpretation has been forwarded to us by the Government of India and so long as the Federal Court or any other Court does not decide to the contrary, I am not going to accept the interpretation, the mischievous interpretation that is being given by the Opposition.

Now, Sir, it has been said that the fund raised by Mr. Santosh Kumar Basu has succeeded, but the fund that is being raised by the

present Mayor of Calcutta has not succeeded and that shows according to my friend Mr. Sarker, that the object does not meet with popular support. (Voices from the Congress Benches: It is due to lack of organisation.) Someone has remarked that the present Mayor is a communally-minded Mayor. (Voices from the Opposition Benches: No; no.) Someone has said and I forget who it is (A voice from the Opposition benches: Nobody has said) and therefore his appeal has not been so successful as the appeal of Mr. Santosh Kumar Basu. Unfortunately the Mayor is a Muslim Mayor. We have got two kinds of enemies to face. There are external enemies of India, namely, Hitler and his Nazi forces, and there are internal enemies who are my friends opposite and it is owing to the opposition of my friends opposite that the Mayor's Fund in Calcutta has not succeeded as it should have succeeded. Therefore, we are helpless.

Mr. ATUL CHANDRA SEN: You are helpful, and you are resourceful.

The Hon'ble Mr. A. K. FAZLUL HUQ: The question now before the House is this. The legal opinion has been obtained. It is true that we have not consulted the legal luminaries who adorn the Opposition benches but we have consulted some members of the legal profession who sit on this side of the House. We have consulted whomsoever we thought fit enough to give us advice. After all if I have to obtain legal opinion, I have to be guided by my own judgment as to who is the person who is best fitted to give me legal advice.

Mr. SARAT CHANDRA BOSE: Do you mean who is most pliable?

The Hon'ble Mr. A. K. FAZLUL HUQ: And I may add that the advice which we have sought is advice which is disinterested advice, advice which is not based on political considerations, advice which is based on considerations which are not foreign to the legal interpretation of the words for which the interpretation is sought. We have taken such advice. We have received the view of the Secretary of State for India. He has communicated the interpretation to the Government of India who in their turn have communicated to us. Therefore, Sir, I submit that so far as we are concerned, this opinion is final and conclusive. The only question is whether we should pay the money. On that point we are all agreed that the object is of a humanitarian character. (Cries of *ha ha* from the Opposition benches.) If my friends of the Opposition cry *ha ha*, and they cannot even accept my expression of opinion that the object is of a humanitarian character, I can only say that they have not got a human heart but a stony heart for which I have no sympathy.

Mr. NISHITHA NATH KUNDU: Not a slave's heart.

Mr. SPEAKER: The interruptions are becoming too many. You should know that there are some etiquettes to be observed in this House. I am trying from the very beginning to see that the Leader of the Opposition and the Leader of the House are given due attention. While the Leader of the House is speaking, if you are not prepared to sit quiet, I will ask you through the Leader of the Opposition to go out of the House and take your seat.

The Hon'ble Mr. A. K. FAZLUL HUQ: As I was submitting, Sir, it is very laudable object. In order to decide whether we should pay the money, I submit that we have got the money. I have already submitted to the House that we are not going to encroach upon any other item but we are going to pay the money out of the savings under the head "Miscellaneous." Surely we have to satisfy ourselves whether the people of the country approve of this. I once again submit that the representatives of the people are assembled in this House and if they decide that the money is to be spent, I submit that it is the decision of the people of Bengal. I appeal to this House in the name of humanity and in the name of everything that they hold good and dear for the dignity of India to repay in a very small measure the help that the Lord Mayor of London has rendered on various occasions to the people of India, to show to the world that we are not always guided by narrow political considerations and that whatever our differences may be, there is a genuine solidarity dominating the heterogenous elements of the Indian population and that loyalty to public cause and loyalty to humanitarian object constitute the creed of the citizens of Bengal. Sir, in that view, in that humanitarian aspect of the matter, I appeal to this House for a vote with unswerving confidence and unfaltering faith, which will demonstrate to the world that we are in sympathy with the sufferers of the air raids and that although we ourselves are in great difficulties owing to economic causes consequent on the war, we are not thinking of our own difficulties, we are thinking of our brothers beyond the sea,—Human beings like ourselves who are victims of inhuman practices of Hitler and his forces. We want to show to the world that although our resources may be very limited, our heart is great and that Bengal can rise up to the height of the occasion in order to demonstrate that charity is not yet dead in Indian hearts and that an appeal made in the name of humanity has not been made in vain. I ask the House to vote for the demand.

Mr. ATUL KRISHNA GHOSE: May I through you, Mr. Speaker, seek one information?

Mr. SPEAKER: Order, order.

Mr. ATUL KRISHNA GHOSE: How many members of the Cabinet have contributed to the Fund?

Mr. SPEAKER: Order, order.

The motion of Mr. Sasanka Sekhar Sanyal that the demand of Re. 1 under the head "57—Miscellaneous—J—Contributions—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims" be reduced by anna one, was then put and a division taken, with the following result:—

AYES—41.

Abdul Hakeem, Mr.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Asimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chaudhuri, Rai Harendra Nath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Singha, Babu Kshetra Nath.
Thakur, Mr. Pramatha Ranjan.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—121.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdila-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdul Motaleb Malik, Dr.
Abdur Razzak, Maulvi.
Abdus Shahhed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagcha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Basu, Mr. Jatindra Nath.
Biswas, Mr. Rasik Lal.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D.
Golam Robbani Ahmed, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.

Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Saheb Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed
Mukerjea, Mr. Taraknath, M.B.E.
Mukherjee, Dr. H. C.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pullin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sanaullah, Dr.
Sassoon, Mr. R. M.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sinclair, Mr. J. F.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Speller, Mr. J. H.
Stark, Mr. A. F.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C.
Yousuf Mirza.
Yusuf Ali Choudhury, Mr.

The Ayes being 41 and the Noes 121, the motion was lost.

The motion of the Hon'ble Mr. A. K. Fazlul Huq that a demand of Re. 1 be voted for the payment of Rs. 1,00,000 under the head "57—Miscellaneous—J—Contributions—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims" was then put and a division taken with the following result:—

AYES—113.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Metaleb Malek, Dr.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Acharyya Choudhury, Maharaja Sashi Kanta, Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Basu, Mr. Jatindra Nath.
Biswas, Mr. Rasik Lal.
Chippendale, Mr. J. W.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monomohan.

Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Gladding, Mr. D.
Golam Robbani Ahamad.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.,
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Jasimuddin Ahmed, Khan Saheb Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukherjea, Mr. Taraknath, M.B.E.
Mukherji, Dr. H. C.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nortom, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Sahebe-Alam, Mr. Syed.
Sanaullah, Dr.
Sassoon, Mr. R. M.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sinclair, Mr. J. F.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Speller Mr. J. H.
Stark, Mr. A. F.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C.
Yousuf Mirza.
Yusuf Ali Choudhury, Mr.

NOES—37.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Azimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chaudhuri, Rai Harendra Nath.
Das Gupta, Babu Khagendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. J. N.
Jalaluddin Hashemy, Mr. Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

The Ayes being 113 and the Noes 37, the motion was carried.

Adjournment.

The House was adjourned at 10-50 a.m. till 4-45 p.m. on Tuesday, the 1st April, 1941, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 1st April, 1941, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 7 Hon'ble Ministers and 175 members.

STARRED QUESTION

(to which oral answer was given)

Establishment of a charitable dispensary and a charitable maternity and child welfare centre at Sundarban (Rupamari Abad area).

***190. Mr. NIHARENDU DUTTA MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact—

(*i*) that he received a deputation on behalf of the cultivators of the Sundarban (Rupamari Abad area) in Tauzi Nos. 1372, 1391, 1421 and the lots Tanktoli and others under Hasnabad thana within the district of 24-Parganas on the 29th February, 1940; and

(*ii*) that a petition asking for the establishment of a charitable dispensary and a maternity and child welfare centre was submitted on their behalf on the same date?

(*b*) Will the Hon'ble Minister be pleased to state what steps, if any, the Government have taken for the establishment of a charitable dispensary and a charitable maternity and child welfare centre there?

(*c*) Do the Government contemplate spending fifty per cent. of the revenue and the road cess collected therefrom for the purpose?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) Yes.

(*b*) As the establishment of rural dispensaries is primarily the responsibility of the local bodies, the Commissioner of the Presidency Division has been requested to address the District Board in the matter.

His reply is being awaited. Government have already a scheme for establishment of maternity and child welfare centres and this scheme was explained to the deputation, and they were requested to take the necessary action in the matter in consultation with the District Board, so that the funds that are required from local sources may be available.

(*c*) No.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether it is not a fact that the deputationists represented to him that the fund required from local sources were of such magnitude that it was beyond the local resources to find it immediately and that therefore Government were asked to take special measures to suit the requirements of the people?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: In regard to these things Government cannot take the whole responsibility on themselves. A certain portion is paid by local bodies and a certain portion by Government. It is difficult for Government to undertake all the expenditure for the whole of Bengal for the purpose for which the deputation has asked.

Mr. NIHARENDU DUTTA MAZUMDAR: I am afraid the Hon'ble Minister has not answered properly the previous question. I am asking whether the Hon'ble Minister is not aware that the deputationists contended that it was beyond the means of the local people to collect the required fund, so that they might get additional amount from the Government. In view of that contention, has the Hon'ble Minister been pleased to take any special measures to suit the local requirements?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I said, it is the primary duty of local bodies to spend money on this account. The deputationists maintained that it was difficult for them, and I maintained that it was not difficult for them to get subscription from the people of the locality.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what did Government actually offer to them if they were able to collect the additional amount from the local people?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: There are certain rules made by Government. If the honourable member gives notice, I can answer him after notice has been received, but I cannot answer him offhand.

Mr. NIHARENDU DUTTA MAZUMDAR: I will give notice about that.

With reference to the Hon'ble Minister's answer that Government have already a scheme for the establishment of maternity and child welfare centres, will the Hon'ble Minister be pleased to state what is the nature of that scheme for the establishment of maternity and child welfare centres?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: In my budget speech I tabled a statement giving particulars about several schemes in regard to medical and public health and at the present time from memory I cannot repeat all those schemes.

Mr. NIHARENDU DUTTA MAZUMDAR: Is the Hon'ble Minister aware that there are no provisions made in the budget for any such schemes he is referring to?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: There are certain provisions. I can assure him that as soon as schemes are ready, money will be found for them.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state, in view of his previous answer, what are the available resources on which Government are counting at the present moment with a view to give effect to the schemes which they have in mind?

Mr. SPEAKER: What was your previous question?

Mr. NIHARENDU DUTTA MAZUMDAR: My previous question was if he was aware that there was no provision made in the budget to give effect to any Government schemes and the Hon'ble Minister's answer was that Government would explore all possible avenues with a view to give effect to those schemes. I am now asking him about the resources.

Mr. SPEAKER: That is going much beyond the scope of the question.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state when the Commissioner was requested to address the district board and when his reply is expected?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether it is not a fact that he has promised to the deputationists on the same occasion that he would undertake a special tour of that area with a view to ascertain the nature of the difficulties they suffer from in respect of child welfare and maternity?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Most certainly I gave an undertaking. Unfortunately I have been so very busy that I have not had an opportunity of fulfilling my promise as yet.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Cooks in Medical College and other Government hospitals.

73. Maulvi AZHAR ALI: (*a*) Will the Hon'ble Minister in charge of the Public Health (Medical) Department be pleased to state—

(*i*) whether in all Government hospitals of the Province including Medical College and other Government Hospitals in Calcutta the cooks are all Hindus; and

(*ii*) whether Muslim patients have no other alternative but to take the food and diet prepared by Hindu cooks and served by non-Bengali and non-Muslim coolies and servants?

(*b*) If the answer to (*a*) is in the affirmative, do the Government contemplate taking any action in the matter?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) A statement is laid on the table.

(*ii*) Where the cooks are all non-Muslim, the Muslim patients take food prepared and served by non-Muslims.

(*b*) Projects for construction of separate kitchens for Muslim patients in the Campbell and Sambhunath Pandit Hospitals have already been undertaken in this department and steps are being taken to expedite them.

Statement referred to in the reply to clause (a) (i) of unstarred question No. 73.

1. *Carmichael Hospital for Tropical Diseases (attached to the School of Tropical Medicine, Calcutta).*—There are both Hindu and Muslim cooks as well as cooks for European patients.

2. *Campbell Hospital, Calcutta.*—All the cooks are Hindus.

3. *Sambhunath Pandit Hospital, Bhowanipore, Calcutta.*—All the cooks are Hindus.

4. *Voluntary Venereal Hospital, Alipore.*—There are both Hindu and Muslim cooks.

5. *Medical College Hospitals, Calcutta.*—There are both Muslim and non-Muslim cooks. Food for Muslim patients is cooked and served by Muslim cooks. Other articles of food are served by non-Bengali and non-Muslim sirdars.

6. *Presidency General Hospital, Calcutta.*—There is no Hindu cook.

7. *Mitford Hospital, Dacca.*—There are both Muslim and non-Muslim cooks. Food for Muslim patients is cooked and served by Bengali Muslims.

8. *Darjeeling (Nuralbari Hospital).*—The cook employed is a Nepali Hindu.

9. *Chittagong Hill Tracts.*—Two cooks are employed in two hospitals and both are Hindus.

10. *Uttarpara Hospital, Hooghly.*—There is only one cook who is a Hindu.

Mr. ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that in Medical College Hospitals the food for Muslim patients is prepared as well as served by Hindu cooks and Hindu servants?

Mr. SPEAKER: He has answered that question.

Amount spent by Midnapore District Board for flood relief work.

74. Mr. KRISHNA PRASAD MONDAL: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state what is the total amount spent by the Midnapore District Board for flood relief work?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: About Rs.4,000 during the year 1940-41.

Vacancies in the Local Boards of Sadar, Contai and Tamluk in Midnapore district.

75. Mr. KRISHNA PRASAD MANDAL: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that seats of several members of Local Boards of Sadar, Contai and Tamluk have remained vacant for more than a year?

(*b*) If so, will the Hon'ble Minister be pleased to state the reason for the delay in filling up the seats?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) The answer is in the negative.

(*b*) Does not arise.

Delimitation of constituencies of the Tippera District Board.

76. Mr. SHAHAD ALI: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) whether there will be the general election of the District Board, Tippera, in the year 1941; and

(*ii*) whether the delimitation of the constituencies in the coming District Board election has been effected finally?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of the elected constituencies in Chandpur subdivision; and

(*ii*) the number of them that are for (1) Muslims and (2) Hindus?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of delimited constituencies within Matlab police-station;

(*ii*) the number of them that are for (1) Hindus and (2) Muslims; and

(*iii*) whether any part of the Matlab police-station falls within the constituencies of neighbouring thanas?

(*d*) If the answer to (*c*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state what are the names of the Unions of the thana which go out to form a constituency with neighbouring police-stations?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) Steps are being taken to hold the general election to the Tippera District Board in 1941, if possible, after delimiting its constituencies.

(*ii*) No. The proposals for the delimitation of constituencies have not yet been received from local officers. They have been asked to expedite.

(*b*) to (*d*) The questions do not arise.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state what is the danger that has compelled him to give a problematic reply?

Mr. SPEAKER: Where is the problematic reply?

Mr. SHAHEDALI: Sir, the Hon'ble Minister has replied in answer (*a*) (*i*) that steps are being taken to hold the general election to the Tippera District Board in 1941, if possible, after delimiting its constituencies. I want to know, Sir, why this "if possible".

Mr. SPEAKER: That question does not arise.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether it is his policy to defer the district board and local board elections?

Mr. SPEAKER: That question does not arise.

Point of Privilege.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I have an important point relating to the privilege of this House to bring to your notice in respect of the questions and answers of this afternoon. Unfortunately this Chamber was not accessible to us until 4-45 p.m. and we have had no time to get the question papers in advance so as to look through them. I submit it will not be fair to us if we are not allowed some time to read the questions and answers. I appeal to you that the honourable members should be given some time to go through these questions and answers in order to enable us to put supplementary questions.

Mr. SPEAKER: I have every sympathy with you, but I am helpless in the matter.

Mr. NIHARENDU DUTTA MAZUMDAR: You, Sir, with your sympathies can surely find out some means by which we may have a little time to go through the questions and answers.

Mr. SPEAKER: The only means that I possess perhaps is to turn out the men of the other House in order that we may have a little more time to go through the questions with a view to putting further supplementary questions. (Laughter.)

I am sorry to say that I am quite helpless in the matter.

In compliance with the observation made by the Hon'ble Speaker on the 2nd December, 1940, the following question and answer is printed for information:—

Offer of donation by Maharaja of Lalgola for construction of a Tuberculosis Ward at Berhampore.

Mr. SASANKA SEKHAR SANYAL: (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to state—

(*i*) whether the Maharaja of Lalgola has offered a donation for the initial cost of construction of a Tuberculosis Ward to be attached to the Sadar Hospital at Berhampore; and if so, what is the amount so offered;

(*ii*) whether it is a fact that the offered money has not been appropriated, because Government have not yet been able to settle with the Berhampore Municipality a particular land near the hospital which has been selected and approved as the site for the proposed Tuberculosis Ward;

(*iii*) how long the Government are in correspondence with the Berhampore Municipality on the one hand and the Maharaja of Lalgola on the other over the proposal of the settlement of the particular land and the appropriation of the Maharaja's offer; and

(*iv*) how long the Government will take to complete the preliminaries and to avail of the offer?

(*b*) Is the Hon'ble Minister considering the desirability of expediting the settlement?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) Yes. Rs.13,500 as reported by the Berhampore Municipality.

(*ii*) As the Municipality of Berhampore asked for a gift of a plot of land for the establishment of a clinic, and as this was outside the approved policy of Government, Government had correspondence with the Divisional Commissioner with a view to fix a fair rental and *salami*, so that Government might consider making an equivalent grant to the local body.

(*iii*) Reference to Government was made by the Commissioner in February, 1940. Government have had no direct correspondence with the Maharaja of Lalgola and the Municipality of Berhampore.

As the Maharaja's estate is under the Court of Wards, he applied to the Board of Revenue in April, 1938, for sanctioning a donation of Rs.13,500 towards the construction of the tuberculosis clinic and the

Board sanctioned the proposal in June, 1938. The Medical Department, however, had no information about this till February, 1940, when a reference was made to Government by the local officers.

(*iv*) and (*b*) In order to enable the authorities of the Berhampore Sadar Hospital to avail themselves of the offer, Government have approved the proposal for making a suitable grant and provision has been made in the budget in the ensuing year.

Land Revenue Commission Report.

Mr. SASANKA SEKHAR SANYAL: Before you proceed to the other business, Sir, may I mention one difficulty? The Floud Commission's report has been included in the agenda for to-day and to-morrow. This information was given to us prior to this day's sitting, but we do not know why the Special Officer's report has not yet been given to us. If that is not done, how do you think we can do justice to the——

Mr. SPEAKER: Let us first finish the other items and then we shall take that up.

Message from the Bengal Legislative Council.

The Secretary read out the following message received from the Bengal Legislative Council:—

"That the Bengal Finance (Sales Tax) Bill, 1941, was passed by the Bengal Legislative Council with amendments at its meeting held on the 31st March, 1941, and that the concurrence of the Assembly be asked to the amendments made in the Bill by the Council.

Copies of the Bill showing *in loco* the amendments made by the Council have been laid on the table of the members."

The Schedule of Authorised Expenditure.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in pursuance of sub-section (*2*) of section 80 of the Government of India Act, 1935, I beg to lay before the Assembly the Schedule of Authorised Expenditure for 1941-42 authenticated by the signature of His Excellency the Governor under sub-section (*1*) thereof.

In pursuance of section 81 read with sub-section (*2*) of section 80 of the Government of India Act, 1935, I beg to lay before the Assembly a Supplementary Schedule of Authorised Expenditure for 1940-41 authenticated by the signature of His Excellency the Governor under sub-section (*1*) of section 80 read with section 81.

In pursuance of section 81 read with sub-section (*2*) of section 80 of the Government of India Act, 1935, I beg to lay before the Assembly a further Supplementary Schedule of Authorised Expenditure for 1940-41 authenticated by the signature of His Excellency the Governor under sub-section (*1*) of section 80 read with section 81.

In pursuance of section 81 read with sub-section (*2*) of section 80 of the Government of India Act, 1935, I beg to lay before the Assembly a Supplementary Schedule of Authorised Expenditure for 1938-39 authenticated by the signature of His Excellency the Governor under sub-section (*1*) of section 80 read with section 81.

Question of Privilege.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move——

Mr. SPEAKER: Just a minute, please, Sir Bijoy; there is just one matter to which I should like to refer before you move your motion. In a Bill like this whatever might be the defects, it is desirable that all sections of the House should co-operate in coming to a decision on the point.

Mr. SASANKA SEKHAR SANYAL: Sir, we shall place our attitude on the floor of the House, and I am sure you will appreciate the attitude that we shall take up.

Mr. SPEAKER: It is quite possible that there will be considerable difference of opinion on this question, but I have every sympathy with you. Even taking it for granted that there is considerable difference of opinion, all that I can hope for is that you will be able to carry on the work in a spirit of co-operation: as you know, the present Government of India Act is not at all satisfactory, yet we have all been rendering our assistance in its working.

Mr. SASANKA SEKHAR SANYAL: We shall express our attitude, Sir, and we shall see how Government faces that attitude; and we shall keep the matter open until then.

Mr. SPEAKER: As I have just now said, even though the Government of India Act is not considered satisfactory by any section of the people, yet we all have been working it because we feel that it is necessary to work it for the present. On that analogy I would request you to take up the same attitude on this question.

Rai HARENDRA NATH CHAUDHURI: I am afraid you have not understood our point of view, Sir. Our point of view is something very different. What we allege is that Government is departing from some agreed principle, and that therefore it is incumbent on the Government——

Mr. SPEAKER: You know that these matters were not before the Government at that time. You discussed it and got the thing done. It is quite possible that an agreement might be reached by discussing the matter round the table.

Mr. SASANKA SEKHAR SANYAL: All that will depend on the attitude that the Government propose to take up. We shall give our teeler, Sir, and we shall see how Government respond to it.

Mr. SANTOSH KUMAR BASU: I very much appreciate the observations that have fallen from you, Sir, with regard to the desirability of the members of the Opposition of serving on the Select Committee of this Bill. So far as this Bill is concerned, it has been sponsored by the Hon'ble the Home Minister. The Hon'ble the Deputy Speaker as the Chairman of the Privilege Committee, however, has placed before the House a Bill which satisfied the requirements as laid down by the Privilege Committee. The decision which had been solemnly arrived at by the members of that committee was a unanimous decision. Now, that Bill embodied certain provisions, which certainly met with the wishes of the members of the Opposition to a very large extent. All sections of the House represented on the Privilege Committee accepted the proposal which was formulated by the committee on the basis of which the Bill was brought before the House by Mr. Deputy Speaker. But Government have now deliberately chosen to give the go-bye to that Bill and, instead, to bring forward another Bill not only in an attenuated form, but also containing provisions which do not touch any of the privileges so far as the members of this House are concerned. In the Select Committee, matters which were embodied in the Bill sponsored by Mr. Deputy Speaker may be considered to be beyond the scope of the Bill sponsored by the Hon'ble the Home Minister. Will it then serve any useful purpose, so far as members on this side of the House are concerned, to come and serve on the Select Committee of a Bill which is merely an apology for a Privilege Bill and does not touch even the fringe of the question about the privileges of the members of this House? If we could get some assurance that the provisions of the Bill as laid before the House by Mr. Deputy Speaker can really be incorporated in the Select Committee stage in the Bill which has been brought forward by the Hon'ble the Home Minister, it would be worth while on our part to consider the

suggestion which has fallen from you and which deserves earnest consideration as emanating from such a high quarter. At the same time, we feel that absolutely no useful purpose will be served by going to the Select Committee on a Bill of this character. I trust you will consider our position in the light of the observations I have made. If there is any hope held out to us that this Privileges Bill is going to be really a serious measure and not sponsored in the light-hearted cavaliar fashion in which it has been framed, we shall certainly reconsider our position.

Mr. SPEAKER: All that I say is that, so far as this Bill is concerned, it refers to the question of privileges and, therefore, if the Opposition desire to incorporate those provisions of Mr. Deputy Speaker's Bill in this Bill and bring them before the Select Committee there will be no bar to that.

Mr. SANTOSH KUMAR BASU: May I, Sir, then take it that these matters which are raised in Mr. Deputy Speaker's Bill can be legitimately raised at the Select Committee?

Mr. SPEAKER: Yes. I have very carefully considered it, and in view of the fact that it is a Privileges Bill, it would be open to any member to bring in either this or any other Privileges Bill and leave it to the Select Committee to discuss it.

Mr. SASANKA SEKHAR SANYAL: Sir, I am glad that Sir Bijoy is present here to-day.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, may I submit that my honourable colleague Sir Nazimuddin who is the sponsor of this Bill is unfortunately absent from the House to-day and of course he will be the Chairman of the Select Committee and the decision must rest with him. But I have no reason to assume that he will take a view different from what you have been pleased to take, but it is not for me to give any assurance as to what will be the ruling of the Chairman of the Select Committee because——

Mr. SPEAKER: Unless Government gives an assurance, I am helpless in the matter.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: How can Government give an assurance, Sir? I must make my position perfectly clear, because it is a matter of interpretation——

Mr. SPEAKER: It will ultimately be a matter for me to interpret as Speaker. What I feel is this. There is another Bill in the possession of the House, and there have been precedents in this House where

the same Select Committee has considered not merely a Bill sponsored by the Government but also other Bills brought by private members, not that Government thereby accepts the other Bills but all that Government does is to give an opportunity to the Select Committee to discuss the provisions of the other Bills. You remember, Sir Bijoy, that there are precedents for that?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. SPEAKER: So, following those precedents, would it not be correct for Government to consider as to whether along with this Bill the other Bill may also be considered by the Select Committee? That will solve all problems and, incidentally, it will avoid at least showing that this Bill is not being sponsored by all sections of the House. I am anxious to avoid such a misunderstanding.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, that Bill has not been referred to the Select Committee. I would just request you to bear that fact in mind. But if a member of the Select Committee places any provision of that Bill before the Select Committee and wants the Select Committee to consider it, I have no reason to assume that Sir Nazimuddin as Chairman of the Select Committee—

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. How does Sir Nazimuddin come in? The agenda circulated shows that the Hon'ble Sir Bijoy Prasad Singh Roy is to move that the Bengal Legislature (Privileges and Powers) Bill, 1941, be referred to a Select Committee consisting of, among other members, No. 13. the mover. So, it is he who counts. (Laughter.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I had anticipated the honourable member, and I was going to move the Minister in charge of the Bill instead of the mover. I have got it here.

Mr. SASANKA SEKHAR SANYAL: Then you are merely a carrier! (Laughter.)

Mr. SPEAKER: Sir Bijoy, why not avoid criticism?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, personally I am very anxious, if I may say so, to accommodate the wishes of my honourable friends opposite. (Mr. SANTOSH KUMAR BASU: In what respect?) If they desire to discuss any particular Bill clause of the Bill introduced by Mr. Deputy Speaker, I am sure there will be no difficulty. But it depends, strictly speaking, on the interpretation of the particular Bill clause that may be placed before the Select Committee.

Mr. SPEAKER: That can be avoided by issuing instructions to the Select Committee that they will take into consideration the provisions of the other Bill. There is no bar to it. Just as I have said, there are precedents in this House in which three Bills have been referred to the Select Committee.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That means referring two Bills to the Select Committee which is not my motion.

Mr. SPEAKER: No, no. This is the main Bill. The question is whether you can take into consideration the other Bill because otherwise the result will be that I will have to allow a motion of Mr. Deputy Speaker if he wants to have another Select Committee and have the matter considered there. There will be two Bills before the House, which means waste of time.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Don't you think, Sir, that it will be better and will solve all difficulties if any honourable member who wants any of the provisions of Mr. Deputy Speaker's Bill to get incorporated in the Government Bill is to move in the Select Committee to that effect?

Rai HARENDRA NATH CHAUDHURI: But we must have an assurance from Government to that effect.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, there cannot be any such assurance. My honourable friend being a parliamentarian of long standing ought to realise that in the matter of interpretation there cannot be any assurance from Government.

Rai HARENDRA NATH CHAUDHURI: Why not? Sir, it will be for you to interpret that. Just a moment ago the Hon'ble Minister said that he could not assure the House whether he was going to block the proposals of this side or not. He is not even inclined to adopt your suggestion; he is not prepared to accept any suggestion thrown out. In the circumstances, we think that Government may not accept our proposal at all.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is not, Sir, I regret to say, a correct interpretation of what I have said.

Mr. SPEAKER: I think the best solution for the time being would be, as has been suggested by the Government Whip, that in a matter like this there is no hurry. I shall take this as the last item in the agenda before the prorogation. In the meantime, both sides may sit together and discuss the matter, and I hope there will be an agreement.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is a fair suggestion.

Mr. SURENDRA NATH BISWAS: Sir, will Sir Nazimuddin come back by that time? Otherwise, his opinion will have to be taken by post.

Mr. SPEAKER: That does not matter.

We will now take up discussion of the Land Revenue Commission Report.

Discussion of the Land Revenue Commission Report (Floud Commission Report).

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. My point is that we have not yet received all the volumes of the Special Officer's Report. We have received only two volumes some time back. The evidence that has been recorded has not been served on us. We cannot argue in the air. We have to study this most complicated question; we have got to pick out points; we have to consider these things ourselves. You know, Sir, that the discussion of the Floud Commission's original Report was postponed because the matter was referred to the Special Officer and it was desired by all sections of the House that before the matter was discussed, the Special Officer's Report would be forthcoming. But the position remains as before. The Special Officer's Report is not forthcoming and Government wants us to hurry through the matter.

Mr. JATINDRA NATH BASU: Sir, I support the suggestion that the Report of the Special Officer should be placed before the members of this House before a discussion comes on.

Sir, you are aware that the Report relates to a particular economic and administrative problem which is as old as at least seven centuries. If there is an attempt to alter that system, the proposal should be scrutinised in all its bearings. Government have been good enough to have a scrutiny made of the recommendations of that Report. It is necessary that the result of that scrutiny should be before us to enable us to find the administrative and other implications of the problem presented by the Report, which have come out on that scrutiny.

Maulvi ABU HOSSAIN SARKAR: Sir, serious allegations have been made by some gentlemen as, for example, Sir Bijoy Chand Mahtab and Mr. Badrudduja in their minutes of dissent that important decisions

were taken by the weight of votes without reference to the evidence collected and placed before them. Therefore we must have the evidence volumes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I make the position of Government clear? Government naturally attach very great importance to the recommendations of the Land Revenue Commission and they would like to come to a decision on their recommendations as early as possible, but before they make up their mind on this momentous issue they would like to obtain the views of members of different Groups in this House because they would like to consider the problems and the different recommendations in the light of the opinions of the members of this House. Sir, Government do not want to burke this matter or defer it indefinitely. They are anxious to come to an early decision, that is, within a reasonable time. Of course, there is the Report of the Special Officer. That Report was received by Government some time back.

Mr. ATUL KRISHNA GHOSE: How long ago?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Some time back. They had no opportunity of examining that Report in detail in the Cabinet. Therefore, they are naturally reluctant to publish it or to circulate it to the members.

Mr. SASANKA SEKHAR SANYAL: Why?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: They are reluctant to circulate it to the members without examining the Report themselves. But that does not mean that the Report is not going to be placed before this House. At the next opportunity Government hope to place that Report before the House.

Mr. ATUL KRISHNA GHOSE: When?

Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, our attitude also we should make clear on this point. We are as anxious as the Government or rather more anxious than the Government to have the Report of the Land Revenue Commission discussed in this House. We are also anxious to formulate our views on the Report of the Commission. But, Sir, if the Government are unable to make up their mind with regard to the recommendations of the Land Revenue Commission without examining the Report of the Special Officer, how will it be possible for us to make up our mind with regard to the recommendations of the Commission without having the considered opinion of the Special Officer before us? Government say that they will be guided by the

views of the representatives of the people in this House. A Government guided by a majority party may at times be inclined to say that, but we have also got certain duties to perform. We cannot be expected to make up our mind regarding the recommendations of the Land Revenue Commission without having the Report of the Special Officer whom the Government thought it proper to appoint for the examination of the Report. Not only that; Government are under a moral obligation to place the Report of the Special Officer before us before they can expect us to give expression to our views because on a former occasion Government burked the discussion on the Floud Commission's Report on the plea that a Special Officer had been appointed, that he had not yet finished the examination of the Report and that they wanted to take his views into consideration before coming to a decision. If that be the case, how can the Government expect us to enter into a discussion of the Report without knowing the views of the Special Officer, we cannot understand. We therefore suggest that the discussion should take place early as we are acquainted with the results of the examination of the Special Officer.

Maulvi ABU HOSSAIN SARKAR: On this side of the House we very strongly feel that Government should come to a decision as soon as possible on the Floud Commission's Report. When the first agenda was published for consideration of this Assembly, the discussion of the Floud Commission's Report together with Mr. Gurner's Report was in it, but unfortunately Government withdrew that part of the agenda. We do not know why.

Mr. SPEAKER: Was that on the agenda?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That was on the agenda by mistake.

Mr. SANTOSH KUMAR BASU: Government take the plea of a mistake of fact.

Maulvi ABU HOSSAIN SARKAR: Now the Hon'ble Sir Bijoy Prasad Singh Roy comes forward and says that he had no time to go into Mr. Gurner's Report. We on our part say that he made that statement quite unjustifiably. Therefore, we propose that Government should place all the materials relating to the Floud Commission's Report before us so that we may take up the discussion of the Report and give our considered opinion in this session.

Mr. SASANKA SEKHRA SANYAL: A dilatory Government!

The Hon'ble Mr. A. K. FAZLUL HUQ: May I say a few words in connection with the Floud Commission's Report and the provision that has been made this session to give the members of this House an opportunity of expressing their views on the Report of the Commission? It is not a question of Government being unable to make up their mind. The position is that the Report of the Floud Commission discusses a subject that is of vital importance to various sections of the people, but also raises a constitutional question and also the Permanent Settlement which is of great historical importance and which has got to be considered from various points of view. Whatever may be the merits or demerits of the Floud Commission there is no doubt that the members of that Commission have been at great pains to collect a vast amount of very useful material which forms the subject of discussion by all parties whatever may be the ultimate result of those discussions. Now, Sir, the Report of Mr. Gurner is the report of the officer who was put on special duty to go through the Floud Commission's Report and summarise the conclusions and to give suggestions as to the means that may be adopted to implement the various recommendations that have been made by the Floud Commission. The Report was submitted by Mr. Gurner for the benefit of Government themselves, but if the members think that they should have Mr. Gurner's Report also before they can discuss it, that aspect of the question will be considered and in that point of view it appears to us that the members are not ready to discuss the Floud Commission's Report without Mr. Gurner's Report. (A voice from the Congress Benches: And without the Evidence Volumes.) If that is the position, it is no use anybody getting up and making any remarks, because it seems that the House is not prepared to discuss this question. That being the position, it is for you to decide.

Mr. SPEAKER: I want to know whether these volumes have been circulated to all the members.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: They were available only recently, and I believe they have already been circulated.

Mr. SASANKA SEKHAR SANYAL: Only two volumes have been circulated.

Mr. SPEAKER: I understand that they have not yet received all the volumes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: So far as I understand, Sir, they have been circulated; but it might be that they have not yet reached the hands of the honourable members.

Mr. SASANKA SEKHAR SANYAL: Sir, I have not received any.

Mr. SANTOSH KUMAR BASU: Mr. Goswami says he has not got them yet.

Mr. SYED ABDUL MAJID: I have also not received my copies, Sir.

Mr. K. SHAHABUDDIN: I believe those members who have given their Calcutta addresses have already received their copies, but it is most likely that the books have been issued to the mufassal addresses of some of the honourable members who have not therefore got them yet.

Mr. DEBENDRA LAL KHAN: I have got my Calcutta address, but I have not yet got the books.

Mr. SPEAKER: Have the members belonging to the European Group received their copies?

Mr. W. A. M. WALKER: I have received all the six volumes.

Mr. C. MORGAN: I have received only two volumes.

Mr. SPEAKER: It seems that a large number of members have not yet received all the volumes. I think what has happened is this: the circulation has taken a somewhat longer time than usual, because volume after volume had to be printed and sent out to the members, and that has had to be done by the ordinary staff. In view of that fact and in view of the Hon'ble the Chief Minister's suggestion we may take up this matter on another day.

So far as the Report of Mr. Gurner is concerned, it is for Government to decide whether they will circulate his Report or not.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, it is not possible for Government to circulate Mr. Gurner's Report immediately, because we mut first consider it ourselves and then, if necessary, we may circulate it. That will take some time. I submit that Mr. Gurner's Report is mainly meant for the consideration of Government.

Mr. SPEAKER: Personally, I think that if the members get all the six volumes, that will be sufficient for them to participate in a discussion on this question.

Mr. SASANKA SEKHAR SANYAL: Then, Sir, what about the Hon'ble the Revenue Minister's reply to the large number of questions put to him about the Special Officer's Report?

Mr. SPEAKER: I can understand that Mr. Gurner's Report being a report by an official of Government, it lies entirely with the Government as to which part of it should be accepted and which not. Under ordinary circumstances, therefore, such a report needs no circulation to the members, but Government may do so if it likes. I can realise, however, that when in this particular case specific questions were asked on specific issues, the reply was that Government had been awaiting Mr. Gurner's Report. I must add, however, that that does not necessarily mean that Government intended to circulate Mr. Gurner's Report.

Then with regard to the late circulation of the volumes, I think the members can legitimately expect to have sufficient time to devote to this question in order to enable them properly to go through the voluminous Report; and that is especially necessary in view of there being such a strong difference of opinion amongst the members. If, therefore, it is the desire of the House to devote some more time to this subject, I think there is hardly any time left in this session to take it up because we have almost come to its end. Firstly, it is for the Government to say whether they are likely to come to a decision on the matter soon, and even if it is done, I think it is hardly possible to take this matter up in this session. I would therefore say, what harm is there if we discuss this question on the first opening day of the next session?

Mr. NIHARENDU DUTTA MAZUMDAR: It may be too late, Sir.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, it is very difficult to understand the attitude of some of my friends here. The main report was circulated, I think, about a year ago; two of the volumes were circulated about a year ago; and I take it that the honourable members have studied the Report very carefully. Therefore, nothing should stand in the way of their discussing the Report here and now. What are being circulated at present are the volumes containing the evidence.

Rai HARENDRA NATH CHAUDHURI: But that also is very important.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not for a moment deny that, but if you want to shelve this question in this manner, that is a different matter altogether. (Cries of "No, no" from the Congress Benches.)

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, after the observations made by the Hon'ble the Chief Minister, I thought that the difficulties would be tided over. The Hon'ble the Chief Minister

had taken up a very reasonable attitude that if it was the desire of the Opposition to defer the discussion because they were not in a position to deal with the matter properly now, he would postpone its discussion for the time being. Well, Sir, we have no objection to that. But the Hon'ble the Revenue Minister has taken up an attitude which is utterly inconsistent with the position taken up by the Hon'ble the Chief Minister. The Hon'ble the Revenue Minister says that the Report of the Commission was circulated a year ago and that that ought to be quite enough to enable the House to participate in the discussion, quite apart from the evidence portion which was the basis and foundation of that Report. Sir, that is a position which I do not think anybody on this side of the House will at all accept. Now, Sir, if Mr. Gurner's Report is considered to be so helpful for Government to come to a decision, why should Government deny the House the opportunity of going through it? If the discussion in the House is at all expected to be helpful to the Government in arriving at a decision with regard to the Floud Commission Report, Government is bound to afford all possible facilities and place at the disposal of the House all materials which are available to them in order to enable the House to come to a decision and express an opinion which may ultimately prove to be of assistance to the Government. Government have taken up the position that it is an official Report intended for Government only. Probably they may be right technically. But why this anxiety to avoid publishing this Report and supplying it to the members of this House? When that Report is a Report of a public official on a public question and when it is expected to be of help to Government and of assistance to them in arriving at a decision, I cannot understand why the Revenue Minister is denying that assistance to the members of this House.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I have made it very clear that it is never the intention of Government not to place Mr. Gurner's Report before the House, but what I said is that Government are considering the Report at the present moment, and until they have completed their consideration they are not in a position to place it before the House. Therefore, I submit that the suggestion made by the Hon'ble the Speaker is perfectly right, for if it is taken up on the first day of the next session, Government may in the meantime arrive at a decision on this Report and also as to the advisability of placing this Report before the members of this House.

Mr. SPEAKER: Personally, I feel that it would be better to defer discussion on this question for the present in order to allow the Government to come to a decision in the meantime. I should try to calm down the present tense atmosphere of the House, and I am here, I think, to bring in peace, if possible. So far as the supply of the six volumes of the Report to the members is concerned, it is now clear

that many of the members have not yet received the volumes containing the evidence portion. As a matter of fact, I received my copies only two days ago, and I have not been able to give more than a mere cursory glance over them. I think, however, I cannot altogether agree to the observations of the Hon'ble Sir Bijoy Prasad Singh Roy that a perusal of the first two volumes will enable the members to come to a conclusion, for I am sure that in this case we cannot simply go by the recommendations made by the Commission. So far as the other volumes are concerned, there are enough materials in them concerning the landlord and the tenant which are as much essential for the purpose of our discussion as the main Report of the Commission itself. Fortunately, I find that the materials put up by the landlords and the tenants have found place in different volumes: those concerning the landlords have found place in one volume and those concerning the tenants in another. That, I think, is very convenient and useful.

Then there is a second point as to whether Mr. Gurner's Report should be placed before the House, and it is a very important point on which Government will have to come to a decision. So far as an important matter like the one we are going to discuss upon is concerned, I think under a democratic constitution it would probably be more helpful to all sections of the people if a decision, tentative or otherwise, is arrived at by Government before the matter is placed before this House, for, otherwise, the discussion may turn to issues which are formal and academic; for instance, it may turn to the theoretical question as to whether the entire land should be nationalised or not. I think it is no use having a formal and academic discussion of that character. In any case, it is a matter for Government to decide.

Having taken all these factors into consideration, it seems to me that in the present circumstances it will harm no party if the discussion takes place at the beginning of the next session.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, may I make a suggestion? I admit, Sir, that the complaint of the various sections of the House that they have not received the volumes containing the evidence is well founded, because in perusing the report and considering the recommendations it may be necessary to refer to the evidence to find out how far the recommendations are justified on the evidence that has been recorded. Therefore, Sir, I admit that it would be helpful if they had an opportunity of discussing this also. We will get the copies of the evidence and have them circulated. May I therefore suggest why not the leaders of the various groups sit with you, Sir, and fix a convenient date for the discussion of the Floud Commission Report?

Mr. SANTOSH KUMAR BASU: This session?

Mr. SPEAKER: It is almost impossible to have it this session.

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not want to discuss that in the House. It is for them to find out if it is convenient to have it discussed this session. If not, we will have to do it some time later. The leaders of the various Groups will sit with the Hon'ble the Speaker and decide what date will be convenient for the discussion of the Report, opportunity being given to the members to receive copies of the evidence.

Mr. SPEAKER: What I feel is that if it is taken up this session it avoids the difficulty for the time being, but that is bound to carry us beyond the Easter. But would it be desirable for us to sit even up to that? It is for us to consider that, because, as I say, we must know our exact position. If it is not the intention to take it up this session, then I think it is better that we do it at the earliest opportunity next session. In any case the matter stands over for the time being. As to the actual date whether it would be this session or next session, that may be discussed later.

Maulvi ABU HOSSAIN SARKAR: Mr. Speaker, Sir, what has fallen from your mouth we quite appreciate, but I ask Sir Bijoy to consider the attitude he has taken and the statement he has made that we are trying to shelve the matter by trying to get all the volumes of the Report.

(At this stage there was interruption from all sides of the House.)

Mr. SPEAKER: Order, order. The House stands adjourned till 4-45 p.m. to-morrow.

Adjournment.

The House was adjourned at 5-45 p.m. till 4-45 p.m. on Wednesday, the 2nd April, 1941, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 2nd April, 1941, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 7 Hon'ble Ministers and 192 members.

STARRED QUESTIONS

(to which oral answers were given)

Hon'ble Chief Minister's discretionary grants.

*193. **Maulvi MOSLEM ALI MOLLAH:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing, district by district,—

(*a*) the amounts allotted from the Hon'ble Chief Minister's discretionary grants for the current year; and

(*b*) the objects in each case for which the allotment was made?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) A statement is laid on the table.

(*b*) Rs.200 is the average grant. The information would not therefore justify the time and labour involved in collecting it.

Statement referred to in the reply to clause (a) of starred question No. 193.

Rs.14,889 as detailed below—

		Rs.
Bakarganj	... ...	2,360
Faridpur	... ...	1,215
Dacca	... ...	668
Mymensingh	... ...	450
Tippera	.. ...	1,800
Noakhali	.. ...	550
Rangpur	... ...	950
Malda	... ...	690
Darjeeling	.. ...	50
Rajshahi	... ...	450
Khulna	.. ...	350
24-Parganas	.. ...	700
Hooghly	... ...	300
Murshidabad	... ...	250
Calcutta	. ...	4,106
	Total ...	14,889

Relief to Co-operative debtors through Special Debt Settlement Boards.

***194. Maulvi MD. ISRAIL:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) whether Government are considering the desirability of giving any relief to the debtors of the co-operative societies for the liquidation of their debts; and

(*b*) if so, when and in what shape?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): The matter is under consideration of Government.

Removal of Nangalkot Sub-Registry Office to Bagmara in the district of Tippera.

***195. Mr. ASIMUDDIN AHMED:** (*a*) Is the Hon'ble Minister in charge of the Education (Registration) Department aware—

(*i*) that Nangalkot Sub-Registry Office was removed to Bagmara, police-station Laksham, district Tippera, in December, 1940; and

(*ii*) that the said office was again removed from Bagmara to Laksham on the 28th February, 1941?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason thereof?

(*c*) Is the Hon'ble Minister aware that the transfer of the said office to Laksham has caused inconvenience to the people of Bagmara?

(*d*) If so, do the Government contemplate the reopening of the office at Bagmara in the near future?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*)(*i*) Yes, the removal was sanctioned but the effect was not given pending further consideration.

(*ii*) The Sub-Registry Office at Nangalkot instead of being removed to Bagmara, on reconsideration, was removed to Laksham.

(*b*) On mature consideration it was thought that the opening of a joint office at Laksham would afford greater relief to the Sub-Registrar of Laksham who had to register 7,992 deeds in 1940.

(*c*) Yes, but the office is intended more to afford relief to the Sub-Registrar of Laksham than to remove the inconvenience of a particular village.

(*d*) No.

Jalpaiguri Western Duars Market Fund.

***196. Babu KHAGENDRA NATH DAS GUPTA:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement on the Jalpaiguri Western Duars Market Funds showing—

(*a*) the total receipts of this Fund in 1937-38, 1938-39 and 1939-40;

(*b*) the amount of expenditure out of this Fund in the years referred to in (*a*) under different heads;

(*c*) the purposes for which the proceeds of this Fund can be utilised;

(*d*) the opening balance of the Fund on 1st April, 1940; and

(*e*) the name of the officer who is the administrator of this Fund?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):

		Rs.	a.	p.
(*a*) 1937-38	...	94,951	4	8
1938-39	...	85,781	5	5
1939-40	...	89,662	8	0

(*b*) A statement is laid on the table.

(*c*) The purposes for which the Fund may be expended are the following:—

1st—For the payment of the establishment required for collection, supervision and maintenance of the markets in a proper sanitary condition, as also for the construction and maintenance of the quarters of such establishment.

2nd—For the construction and maintenance of works of public utility and convenience in the markets or in connection with them, such as sinking of wells, construction of sheds, public necessaries and urinals, planting trees, repair or construction of roads leading to markets, etc., as well as for such sanitary measures as may be necessary from time to time.

3rd—For the establishment of new markets.

4th—For such other purposes (for the direct or indirect benefit of markets) as may be approved by the Administrator with the sanction of the Commissioner.

(*d*) Rs.45,202-10.

(*e*) The Deputy Commissioner, Jalpaiguri.

Statement referred to in the reply to clause (b) of starred question No. 196, showing the annual expenditure of market fund under different heads.

	1937-38.	1938-39.	1939-40.
	Rs. a.	Rs. a.	Rs. a. p.
I.—General Administration—			
(1) Establishment ..	16,865 14	17,423 3	17,608 5 0
(2) Travelling allowance ..	678 5	1,253 6	1,542 6 0
(3) Contingencies ..	5,203 5	5,702 11	5,766 10 0
II.—Improvement works—original—			
(1) Building ..	16,662 11	6,321 11	4,660 6 0
(2) Wells ..	661 13	590 13	277 4 0
(3) Drainage ..	1,857 13	5,473 5	1,918 11 0
(4) Communication ..	4,362 9	12,577 4	2,070 14 0
(5) Miscellaneous ..	3,163 9	2,640 1	754 11 0
III.—Improvement works—repairs—			
(1) Buildings ..	3,229 9	2,993 14	4,148 6 0
(2) Wells ..	394 9	388 2	312 0 0
(3) Drainage ..	129 13	217 2	478 13 0
(4) Communication ..	6,759 3	4,698 6	5,005 4 0
(5) Miscellaneous ..	1,854 3	3,160 0	3,087 6 0
IV.—Printing and stationery articles.	1,021 11	638 2	405 3 0
V.—Medical—			
(1) Establishment ..	2,774 2	3,675 1	3,684 10 0
(2) Medicines ..	1,606 14	1,259 13	1,205 8 0
(3) Contingencies ..	118 4	189 9	231 4 3
VI.—Sanitation (including burial of paupers).	3,200 8	497 0	2,818 6 0
VII.—Miscellaneous—			
(1) Provident Fund contribution and pension contribution.	2,580 14	1,899 11	2,001 15 0
(2) Miscellaneous ..	9,733 9	6,662 14	4,427 2 0
Total expenditure ..	88,091 2	82,652 0	76,895 0 3

Expenditure for rural reconstruction works in Bengal.

***197. Maulvi MANIRUDDIN AKHAND:** Will the Hon'ble Minister in charge of the Agriculture and Industries (Rural Reconstruction) Department be pleased to lay on the table a statement showing how much money has been sanctioned for each district in Bengal in 1940-41 for rural reconstruction works?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): A statement is placed on the table.

Statement referred to in the reply to starred question No. 197, showing grants so far sanctioned out of allotment of Rs.2,85,000 for augmentation of District Officers' discretionary grant for Rural Reconstruction in 1940-41.

		Rs.
Murshidabad	...	2,300
Jessore	...	8,825
Khulna	..	3,674
Burdwan	...	7,250
Birbhum	...	6,066
Bankura	...	5,315
Malda	...	1,300
Rajshahi	...	6,710
Pabna	...	1,515
Bakarganj	...	4,664
Mymensingh	...	4,983
Tippera	...	2,050
Noakhali	...	1,950
Howrah	...	2,000
Dinajpur	...	1,855
Nadia	...	1,550
24-Parganas	...	155
Darjeeling	...	2,270
Jalpaiguri	...	2,300
Midnapore	...	17,450
Faridpur	...	4,200
Chittagong	...	1,100
Chittagong Hill Tracts	...	6,500

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state why a paltry sum of Rs. 155 has been spent in the district of the 24-Parganas?

The Hon'ble Mr. TAMIZUDDIN KHAN: The money is sanctioned according to the requisition made by the Collector.

Rai HARENDRA NATH CHAUDHURI: Does it depend entirely upon the Collector to enforce the scheme of rural reconstruction?

The Hon'ble Mr. TAMIZUDDIN KHAN: The Collector gets the sanction of the Government, but he is certainly advised by Subdivisional Officers.

Rai HARENDRA NATH CHAUDHURI: Does the Hon'ble Minister mean to say that in the 24-Parganas the scheme of rural reconstruction is not undertaken at all?

The Hon'ble Mr. TAMIZUDDIN KHAN: That I cannot say. Moreover, this question is directed to get certain statistics.

Rai HARENDRA NATH CHAUDHURI: My question is also with regard to statistics.

(No answer.)

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he can tell us that these amounts sanctioned have been spent during this year?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have not enquired into that. I think the moneys have been spent.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state the nature of the work that has been done with regard to the rural reconstruction scheme?

Mr. SPEAKER: That question does not arise.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to tell us why there has been so much difference in the amounts of grants in different districts?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have already said that money is sanctioned according to the requisitions made by the Collectors. If certain Collectors do not come up with proposals, then no money is sanctioned.

Affiliation and holding a centre examination of the old scheme junior madrasahs of Bengal.

***198. Khan Bahadur Maulana AHMAD ALI ENAYETPURI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether there is any provision for affiliation and for holding a centre examination of the old scheme junior madrasahs of Bengal as is done in the case of new scheme junior madrasahs?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state whether the Government contemplate making provision for the old scheme madrasahs in the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) No.

(*b*) The Madrasah Education Committee made certain recommendations regarding the courses of studies and recognition of old scheme junior madrasahs and the institution of a public examination at the end of class VI of such madrasahs. The recommendations of the Committee, as a whole, are now under the consideration of Government.

Congestion in the Primary Final Examination Centres in the Jalpaiguri district.

***199. Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the number of candidates who appeared in the Primary Final Examination in the Jalpaiguri district in 1939 and in 1940, respectively; and

(*ii*) the number of Primary Final Examination centres in the Jalpaiguri district in 1939 and in 1940, respectively; their names and number of square miles served by each centre?

(*b*) Is the Hon'ble Minister aware that in these centres last year, the little examinees and their guardians had to experience untold hardship and were put to unnecessary high expenses for want of proper residential accommodations and for going to these centres from very long distances?

(*c*) Is the Hon'ble Minister aware that each of these examination centres last year was overcongested?

(*d*) Is it a fact that under the rules in the Bengal Education Code, a centre can be provided, only if there are 50 candidates for Primary Final Examination?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) 471 and 785 candidates appeared at the Primary (Maktab) Final Examination in 1939 and 1940, respectively.

(*ii*) Four centres, namely, (1) Jalpaiguri, (2) Mainaguri, (3) Patgram and (4) Alipur Duars. The number of square miles served by each centre cannot be exactly ascertained as the examinees from any part of the district can appear at the examination at any of the centres.

(*b*) There was no such report, but probably there was some hardship. There are however very few other places in the district where facilities for accommodation are available.

(*c*) No such report was received.

(*d*) No.

Primary Final Examination in the Jalpaiguri district.

***200. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the rate of examination fees realised by the Government last year from candidates for Primary Final Examination in the Jalpaiguri district;

(*ii*) the total amount of such fees realised in 1939 and in 1940 respectively from the Jalpaiguri district;

(*iii*) the amounts spent, during the years 1939 and 1940, out of the fees, for the following:—

(1) examiners,

(2) invigilators,

(3) clerks attached to the office of the Inspector of Schools, Rajshahi Division,

(4) clerks attached to the office of the District Inspector of Schools,

(5) officers of the Inspecting Department,

(6) cost of printing question papers, descriptive rolls, etc.,

(7) cost of stationeries actually required for the examination, and

(8) menials; and

(*iv*) the total number of examiners appointed for 1939 and 1940, respectively, for the Jalpaiguri district, and the number of them who are Government servants?

(*b*) Will the Hon'ble Minister be pleased to state the nature of the work done by the Inspecting Officers, the clerks of the Divisional Inspector of Schools, and the District Inspector of Schools?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) to (*iii*) A statement is laid on the table.

(*iv*) Examiners are appointed for the whole of Division and not for individual districts. So the number of examiners for Jalpaiguri district cannot be supplied.

(*b*) The Divisional Inspector appoints paper-setters and examiners, gets papers moderated, printed and distributed to different centres and finally declares results and issues pass certificates.

All the clerical work in connection with the conduct of the Primary (Maktab) Final Examination is done by the assistants of office of the Inspector of Schools, Rajshahi Division. It is the duty of the office of the District Inspector of Schools to tabulate the marks supplied by the examiners and distribute the admit cards and pass certificates to candidates of their respective districts. This work is done by the Inspecting Officers of the districts with the help of the clerks in their offices.

Statement referred to in the reply to clauses (a) (i) to (iii) of starred question No. 200.

(*i*) Re.1 per candidate.

		Rs.	as.	p.
(*ii*) 1939	... ...	547	0	0
1940	... ...	918	0	0
(*iii*) (1) 1939	... ..	298	5	6
1940	... ...	496	15	0
(2) 1939	... ...	19	8	0
1940	... ...	29	4	0
(3) 1939	... ...	28	0	0
1940	... ...	775	0	0
(4) 1939	... ...	32	8	0
1940	... ...	400	0	0
(5) Nil.				
(6) 1939	... ...	55	0	0
1940	... ...	92	0	0
(7) 1939	... ...	51	5	0
1940	... ...	113	0	6
(8) 1939	... ...	2	0	0
1940	... ...	24	0	0

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Free-studentship of Government scholarship-holders.

77. Mr. MADHUSUDAN SARKAR: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the Government scholarship-holders are entitled to free-studentships?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the scholarship-holders are entitled to get refund of their tuition fees paid before the publication of the scholarship list in the *Gazette*?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes, the holders of school, junior and senior scholarships only.

(*b*) Yes.

Mr. MADHUSUDAN SARKAR: With reference to (*b*), will the Hon'ble Minister be pleased to state what steps does he propose to take in case any institution withholds any payment of refund?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government have enough time to make enquiries and take whatever steps may be called for.

Status of the Jatrapur Junior Madrasah in Rangpur district.

78. Kazi EMDADUL HAQUE: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the Jatrapur Junior Madrasah in police-station Kurigram, district Rangpur, has after twenty years of its existence, lowered its status to a lower primary maktab for want of financial help either from Government or from District School Board?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) whether the maktab has been inspected during this year or the year preceding; and

(*ii*) whether any grant has been proposed for it?

(*c*) If the answer to (*b*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) The Jatrapur Madrasah in police-station Kurigram could not fulfil the minimum requirements of a junior madrasah; so it was not recognised by the Education

Department and as such remained unaided. It was lowered to the status of a maktab as the local people were unable to run the madrasah in a full-fledged state.

(*b*) (*i*) The maktab was visited on the 7th March, 1940, by the District Inspector of Schools, Rangpur.

(*ii*) No.

(*c*) There is a Board-managed primary school close to the maktab. The Survey Committee formed by the District School Board has not recommended retention of the maktab.

Adjournment Motion.

Mr. SARAT CHANDRA BOSE: Having obtained your consent, Mr. Speaker, I now ask for leave to move the adjournment motion, of which I have given notice, that this House do now adjourn to discuss a definite matter of urgent public importance and also of recent occurrence, namely, the order issued by the Home Department, Governernment of Bengal, and served on the *Dainik Basumati* newspaper of Calcutta on Friday, the 28th March, 1941, at 6 p.m. which prohibits—

(*a*) the further publication, sale or distribution of the issue of the *Dainik Basumati*, dated 9th *Chaitra*, 1347 B.S., equivalent to 23rd March, 1941; and

(*b*) the publication, sale or distribution for a period of twenty-one days from the date of service of the said order of any subsequent issue of the said *Dainik Basumati* newspaper and which forfeited to His Majesty all copies wherever found of the said issue of the *Dainik Basumati* newspaper, dated the 23rd March, 1941, and any document containing copies, reprints or translations of or extracts from the said issue.

I have annexed to that a statement for which——

Mr. SPEAKER: I have now to decide whether this motion is in order. May I know first what Government have got to say.

The Hon'ble Mr. A. K. FAZLUL HUQ: So far as the question whether it is in order is concerned, I have nothing to say.

Mr. SPEAKER: I have read the original statement, and I hold, in view of the nature of the statement as it is, that the motion is in order. Is there any objection? (No objection was raised.) As there is no objection, I would like those gentlemen who are in favour of the motion to kindly rise in their seats.

(More than fifty members rose in their seats.)

As more than the requisite number is there, I hold that the motion will be taken up immediately after the special motion business is finished or at 6-30 p.m. whichever is earlier.

Mr. SASANKA SEKHAR SANYAL: I am afraid, Sir, under the rules you have got to fix a definite time.

Mr. SPEAKER: As I read the English language, I think, "immediately after the resolution business is finished" is a definite time; moreover, I am the final authority to decide and interpret these rules. (Laughter.)

Special Motion.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I beg to move that this Assembly——

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. May I invite your attention to rule 95 of the Bengal Legislative Assembly Procedure Rules where it is laid down that for any such motion to be brought before the House the matter must be of general public interest and that no discussion on such a matter shall take place otherwise than on a resolution moved in accordance with these rules except with the consent of the Speaker or of the Minister to whose department the motion relates. No motion shall be admissible if it relates to a matter which is not primarily the concern of a Provincial Government. In this motion the Hon'ble the Chief Minister seeks to introduce the question of the capture of Keren and Harrar which does not relate to the department of any particular Minister of this Government or the Provincial Government as a whole. Then in the latter part of this resolution he refers to the question of Indian soldiers having taken part in those actions. That is also a matter which is wholly outside the jurisdiction of this Provincial Government and does not relate to any department or any Minister of this province. Therefore, I submit that under the rules this motion is wholly out of order. This special motion procedure has been provided with a view to enable you, Sir, when you think fit to allow motions relating to any department of a Minister or concern of the Provincial Government which may come up with such a motion at short notice on grounds of urgency. But I do not think that the capture of Keren and Harrar or the part which the Indian troops have played in it is at all a matter of any general public interest or of any urgency, apart from any other consideration. Moreover, the Bengal Government have got no means of giving us actual facts in this matter, not to speak of the question of this subject forming a part of this Provincial Government at all. Sir, we are getting various news in the newspapers——

Mr. SPEAKER: But this has nothing to do with newspaper reports.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, my submission is that the facts stated are not authentic and beyond the authority of the Government; on all these grounds this motion is wholly inadmissible. It should be declared as being out of order.

Mr. SPEAKER: I have heard Mr. Dutta Mazumdar very carefully while he was making out a case in support of his point of order that the motion which the Hon'ble the Chief Minister is going to place before the House is out of order, being a subject which does not relate to any department of this Government or to any Minister. I must admit that so far as the movement of any Army, Navy or Air Force is concerned, that does not concern any department of this Government or fall within the portfolio of any of our Ministers. But surely a matter as to whether we in Bengal or any section of people in Bengal or this Assembly can give expression to their feeling in congratulating the Indian soldiers on their achievement is a question which, although these Indian soldiers may not concern any department of this Government or come under the portfolio of any Minister, is certainly within the jurisdiction of this House This expression of your feeling—whether some of you agree with that feeling or not is altogether a different question—is a matter which, although it may not concern the portfolio of any Minister, can certainly be a concern of this House. I hold therefore that for the time being this motion is in order.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I beg to move that this Assembly is of opinion that a message of its sincerest rejoicing may be conveyed through His Excellency the Governor of Bengal and through His Excellency the Commander in Chief to Sir Archibald Wavell at the capture of Keren, Harrar and Asmara.

This Assembly further conveys its warmest congratulations to the Indian soldiers and other ranks of the Imperial Forces on the conspicuously gallant part played by them in bringing about these successes.

Sir, I do not think I need say much in commending this special motion to the reasonable section of this House. The victories to which I refer are not merely local in character but are likely to have repercussions elsewhere so far as the conduct of the war is concerned. India has been proud to learn that Indian battalions fighting side by side with the other units of the Imperial Forces under great disadvantages, physical and geographical and otherwise, have done fine things in Libya, followed them up by fine things in Eritrea. It may not perhaps be known to the general public in this country that the

whole of the countryside is aroused to hear of the part taken by our troops. Indians with other soldiers adjusted themselves with remarkable versatility and broke the defence down with their energy, resource and general competence. His Majesty the King-Emperor has been pleased to congratulate the Indian soldiers. In a cable to the Viceroy he has said that the victory against the vast and heavy odds has added fresh laurels to India's military renown, words that will be appreciated to rouse this land. I think, Sir, it is but fitting that we should convey through the proper channel not merely our rejoicings at the achievements of our countrymen in this distant land, but we should record in this Assembly that we appreciate the message of His Gracious Majesty the King-Emperor and that we reciprocate the gracious sentiments expressed therein and that we hope that these signal victories in Africa will only be precursors of still more glorious victories and bring the war to a successful termination to the glory of Britain and to the lasting advantage of India. (Applause from the European Benches.)

Mr. ATUL KRISHNA GHOSE: On a point of information, Sir. Will the Hon'ble Minister please enlighten us as to how many Indian soldiers have been killed in this honourable enterprise?

Mr. SPEAKER: That has nothing to do with the motion.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I draw your attention to——

Mr. SPEAKER: Half a second please. Mr. Hashemy, do you move your motion?

Mr. SYED JALALUDDIN HASHEMY: Is my motion in order, Sir? If it is in order, let me move it.

Mr. SPEAKER: What is the difference in form?

Mr. SYED JALALUDDIN HASHEMY: The difference is that I am not sending my rejoicings to His Majesty the King-Emperor. I am sending my rejoicings to the Indian soldiers. That is the difference. I have left out the first paragraph and I am taking the second paragraph of the original motion.

Mr. SPEAKER: You have got the words "through the proper channel." Do you mean by that through post office or telegraph office?

Mr. SYED JALALUDDIN HASHEMY: The proper channel is in the original resolution. I do not know the channel. The Chief Minister knows the proper channel.

Mr. SPEAKER: He has since changed it.

Mr. Khwaja SHAHABUDDIN: May I point out, Sir, that the resolution that has been read out by the Chief Minister has been amended to read "through His Excellency the Governor and His Excellency the Commander-in-Chief."

Mr. SPEAKER: I have permitted the change in view of the nature of the resolution, but it is very inconvenient if at the very last moment changes are made. I think it should be realised by Government that even in a matter like this there ought to be somebody to look after this business. Just now there has been objection on this side (indicating the Opposition) and it is very natural. As a matter of fact, I have not been supplied with a copy.

The Hon'ble Mr. A. K. FAZLUL HUQ: May I point out most respectfully, Sir, that this is not a matter for any kind of levity? If we are agreed that we are proud of the achievements of the Indian soldiers in distant lands, if we are agreed on that, if we are agreed that the message of His Majesty the King-Emperor should be appreciated, I do not see, Sir, why there should be so much quarrel over words. I do not see why it should be treated as a mere ordinary resolution over which there may be a quarrel as regards sentences, phrases and other things. Let us see that this resolution in whatever form be accepted by the House.

Mr. SPEAKER: So far as Mr. Hashemy's motion is concerned, the change is that the words "to His Imperial Majesty" are not there. Now the usual channel is His Excellency the Governor and the Commander-in-Chief.

Mr. NIHARENDU DUTTA MAZUMDAR: Not under this rule.

Mr. SYED JALALUDDIN HASHEMY: In that case I will only oppose this motion. I will not move my motion.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, may I draw your attention to the notice of amendments? I gave notice of two amendments. I have been informed that one amendment has been disallowed by you. As regards another amendment, I have received no letter or communication. I have just received this chit after entering this hall which gives a typed copy of my amendment with something

written in ink therein. I do not know what has been your ruling on my amendment. I was quite in time while giving notice, and I should like to have your definite ruling on my amendment. I am not sure whether the one amendment which you have disallowed could not be admissible.

Mr. SPEAKER: Let Mr. Hashemy speak. In the meantime, I will look into your point.

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, Sir, I rise to oppose the special motion moved by the Hon'ble the Chief Minister. Sir, in rising to oppose the motion, I should like to make it perfectly clear that we have got nothing to do with the success at the battles of Keren and Harrar and other places. Frankly speaking, Sir, the capture of Keren and Harrar is nothing to us. They have passed only from one hand to the other, from one Imperialist to another Imperialist. The position of Keren and Harrar can be no better described than the proverb that they are "from the frying pan into the fire." Sir, this Keren in Eritrea and this Harrar in Abyssinia were very recently occupied by Italians. Sir, we have not forgotten those days when bombs from the air were thrown on innocent children and women of Ethiopia and that no democratic countries of Europe raised their little fingers to help the last man-killing in Africa. Sir, such is the case of Keren in Eritrea. Frankly speaking, to us British Imperialism is the same as Italian Fascism. Italian Fascism is equivalent to British Imperialism so far as their possessions in Africa and Asia are concerned.

Sir, I had a mind to congratulate the Indian soldiers only on the ground that these soldiers have proved their worth, have proved their efficiency, have proved their military genius to the comity of nations. But, Sir, now I realise that they are no better than mercenary soldiers. They have gone there not for the cause of India, not for the cause of freedom of India, but for perpetuating British Imperialism. (Cheers from Opposition Benches.)

Sir, we have not been able to understand the war aims of the Britishers. Unless we know what is their war aims, we have no ground to support anything that is coming on. Sir, the history of Indian soldiers is a history of efficiency, the history of Indian soldiers is a history of military genius. But, Sir, during the régimé of British Imperialism in India they have gone down so far that during these 200 years their position has not been raised above subedars and havildars in the rank of military officers. Sir, for the last 200 years they have given their lives, they have sacrificed the peace of their hearths and homes for the perpetuation of slaveries in different countries. The reward is that they are yet havildars, subedars and jamadars in the Army and all the higher ranks are reserved for British

soldiers. Sir, the method of recruitment of Indian soldiers is not unknown to us. It would not be out of place to discuss the report of Sir Sankaran Nair regarding the recruitment of soldiers from the Punjab.

Mr. SPEAKER: Please don't refer to all that.

Mr. SYED JALALUDDIN HASHEMY: No, Sir. We know, Sir, the position of Indian soldiers. The Hon'ble the Chief Minister has come forward to congratulate the Indian soldiers. May I ask him for what earthly reason he is going to congratulate the Indian soldiers? What is it they are fighting for? We could understand this resolution of the Hon'ble Chief Minister if, after the capture of Keren and Harrar the British Government would come forward to declare independence. But, Sir, up till now they have not declared independence of Eritrea or Abyssinia. I am perfectly sure if the whole of Ethiopia and the whole of Eritrea is captured by the British Government, they will be kept under perpetual occupation as they have done in the past. We know, Sir, from history that these white bureaucrats or white Imperialists have no sympathy with black things of either Asia or Africa. Therefore, I feel we have got no ground to stand on for rejoicing over the success of Britishers in the battles of Keren and Harrar. Far from congratulating the Indian soldiers we condemn their action and we do it rightly. (Cries of "shame" from the Hon'ble Mr. Suhrawardy, and counter-cries of "shame" from the Congress Benches.) I ask the Hon'ble the Finance Minister to go to the field of battle instead of sitting peacefully on his *guddi* and declaring "shame." Shame on him who is sitting there! Had he that courage he would have gone to the fields of battle in Eritrea and Ethiopia. (Mr. Atul Chandra Sen: He will go.) He will go and declare "shame" there. It is no use dilating on the subject that it is not a matter of this province at all. It is a mere flattery. This sort of resolution has no other meaning than the flattery of the British Government. We have searched into the meaning of the resolution, but we don't find any other meaning. Possibly, Sir Sikander Hyat Khan, the Chief Minister of the Punjab, moved such a resolution in the Punjab Assembly and our Chief Minister has followed suit and nothing else. Sir Sikander Hyat Khan might have some justification in congratulating the soldiers of the Punjab. He himself is a soldier and has sent his son to the battle-field. But, Sir, these Ministers of Bengal have neither sent their sons nor any of their relations to the battle front——

Mr. SPEAKER: I am afraid you are going much beyond the scope of the resolution. The only question is whether you are to congratulate or not. All other questions are wholly irrelevant. Let us carry on this debate at least in a manner in which it ought to be

conducted. Please don't think that I am standing in opposition to you. What has got a particular Minister or a particular member to do if he has not himself joined the Army or sent his son to the battle-front?

Mr. SYED JALALUDDIN HASHEMY: I don't attribute motives. As we have got nothing to do with the capture of Keren or Harrar, I oppose this motion.

Mr. NIHARENDU DUTTA MAZUMDAR: What is your ruling, Sir?

Mr. SPEAKER: I have found that both the motions are not in order.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I rise to oppose the motion of the Hon'ble the Chief Minister. In moving this motion, the Hon'ble the Chief Minister has proposed to convey the congratulations of this House to His Imperial Majesty on account of the capture of Keren and Harrar. We know, as the previous speaker has already referred to it, that in utter disregard of all international agreements, in utter disregard of the Covenant of the League of Nations, Abyssinia was callously betrayed and most mercilessly and brutally handed over to Italian aggression. Sir, if there was any power that was responsible for the capture of the whole of Abyssinia by a foreign Government, for the war of Africa, as a sequel to which Keren and Harrar have changed hands, as has already been aptly said, from one set of aggressors to another, perhaps a more subtle, cunning and a bloodier type of aggressor, it was the British. It will not do for us to forget to-day that if the British Government had stood up by the Covenant of the League of Nations, if the British Government had faithfully stood up by the Government of France in those days, there would have been no war of Abyssinia. Abyssinia to-day would have remained a free country. Keren, Harrar or Abyssinia need not have passed to Italian hands and from Italian hands to British hands—poor consolation indeed for Abyssinians. We find it amazing that from the province of Bengal one honourable member acting as the Hon'ble the Chief Minister, speaking in the name of the people of Bengal, comes forward with a resolution of this kind. A resolution of this kind if allowed to pass will stand testimony to the whole world of the utter shamelessness of this Ministry, of our lack of sense of honour of this House. The people of Bengal who are themselves striving to-day in common with the people of India for the freedom of the country have got nothing whatsoever to rejoice at the fall of Keren and Harrar from Italian hands to British hands. We shall rejoice on that day and that day alone when Keren and Harrar will be reconquered by the people of the

country with sword in hand, with arms of the people to match the arms of the aggressors—when they will drive the British and the Italians out lock, stock and barrel. We know that oftentimes in the war the British Government have always professed to be fighting for freedom, for democracy. On a previous occasion the honourable Leader of the Opposition had occasion to point out that the last war of freedom, of democracy, ended up by the British swallowing about one million square miles of territory. Sir, here we find another example in the case of Keren and Harrar, and in what is going on in Abyssinia. We know what was the fate of Egypt. The promise of liberation of the British Government to Egypt was never redeemed. Sir, for the purpose of keeping the people down they are no respector of race, religion, caste, or creed. Ireland is an evidence of that. In Ireland, in Christian Ireland, the bloodiest repression and tyranny were carried on by the British Government. Who does not know of the Black and Tans' deeds in Ireland? To-day it is also proposed to congratulate the Indian soldiers for acting as mercenaries in the pay of the British Government who, we are told, have taken a conspicuously gallant part in these campaigns of Keren and Harrar. One cannot but feel sorry that Indian soldiers should have been employed in a despicable action of this kind. India is not considered free, to the shame of every Indian, to the shame of our friends on the Coalition side as well as on this side, to bear arms. Indians are not considered fit to be granted arms for their self-defence. We do not forget the Arms Act. Indians are only allowed to hold arms when they are asked to go at the behest of their masters to do their exploits in foreign lands. To our shame we also remember that Indian soldiers, Hindus and Muslims alike, were employed against Turkey in the last war. The employment of these men in the bombardment of Mecca and Medina, can neither be forgotten nor forgiven by any Indian, far less by any freedom-loving man, or even by a Mussalman.

Mr. SPEAKER: I don't think that it is a matter which can legitimately be considered relevant.

Mr. NIHARENDU DUTTA MAZUMDAR: I am sorry, I cannot help these feelings coming uppermost in my mind, with regard to the question of the use of Indian soldiers. When the Hon'ble the Chief Minister proposes to convey his warmest congratulations to Indian soldiers, I for one cannot but hang down my head in shame. There has been other news from other sources which have also to be considered. We know, Sir, that the Indian soldiers have been treated not in a satisfactory manner in the battle-field of Egypt. Indian soldiers and Indian lorry-drivers working over there were asked to do the handling of goods, were asked to work as coolies, while the Australian or British soldiers were standing aside. And when self-respecting Indians refused

to do that work, which was contrary to the terms they had signed in and in violation of their contract, they were threatened, they were court-martialled, and fifty Indian soldiers were shot down with a view to intimidating others who might refuse to do the work of a coolie. (Cries of "Shame, shame" from the Congress Benches.) I challenge the British Government to contradict this. I know, Sir, no department of the Ministry is concerned with that. I know the responsibility that attaches to a statement of this nature, and with the full sense of responsibility I offer this challenge to the British Government to disprove and contradict this. I challenge the British Government to allow a committee of enquiry composed of Indians to go to the battle-field of Egypt to find out what happened there. But when after shooting down fifty Indian soldiers it was found that the Indian soldiers' will could not be broken, they could not be brought to their knees, the authorities relented, and the Indian soldiers were exempted from doing that dirty work of coolies which the Australian and the British were not doing, and they stuck to their post even at the cost of their lives. That is another aspect of how Indian soldiers are being treated there.

Sir, the Hon'ble the Chief Minister who is noted for his eloquence, his brilliance, his ready wit and his power to convey his thoughts, found it impossible, while moving this resolution which he read out from a slip of paper written down at his master's behest, to bring into display those rare qualities. In these circumstances, when the Hon'ble the Chief Minister has come forward with this resolution, I cannot help feeling that it is a piece of abject hypocrisy, it is a piece of abject shame under the compulsion and coercion of which the Hon'ble the Chief Minister has been obliged to stand up and move a motion in which there is no heart behind it, no sincerity behind it, and it is for that reason that he has not been able to give vent to his natural flow of spontaneous eloquence in describing what he was tutored to call the heroic achievements of the Indian soldiers.

Sir, we shall certainly congratulate our Indian soldiers, we shall certainly congratulate them when they like the soldiers of Great Britain will stand undaunted for the defence of their motherland, when they will stand for the defence of India. How preposterous would it seem, Sir, if even to-day we hear of English mercenaries in the service of Hitler conquering Austria and the British Parliament being called upon to congratulate those mercenary soldiers on such heroic achievement? If Indians as soldiers, as civilians, as citizens, as a freedom-loving people, are entitled to hold up arms to meet our approval, that shall be only for the liberation of their dear motherland. The Government of India has been raising the bogey of the necessity of the defence of India and the fear of invasion of India. Sir, as for the fear of invasion of India, if there is anybody who can afford to defend India, it is the Indian people when they realise that

they have something worth while defending. It is well known what sentiments have been expressed time and again in times of war when our English masters have threatened us Indians with the consequences of war,—at worst a change of masters while the slaves go on. Well, Sir, I need not quote what has been said by eminent men that masters might change but the slave must go on. Only on that day when the people would rise in rebellion that they would be justified in lending their ears to the question of war. If an Indian peasant is asked about the threat of foreign aggression and the fear of the Germans coming and taking the place of the British in India, his reply is, "কম্ সে কম্ কাঙ্কা তো বদল্ হো গা"।

Sir, that is the genuine feeling of the whole of India. If the pest of British Imperialism remains on the shoulders of India, if we remain yoked to the wheels of British Imperialism, it matters very little whether we are under British rulers or under German rulers, and it is no wonder therefore that change of rulers means little to the common men. I, for one, shall very much welcome that, if we fail to win freedom, the worst tyrants should rule over us. I for one shall welcome a rule by the worst form of tyrants rather than by a benevolent foreign ruler so that its tyranny might rouse the dull brains and senses of even some of the Hon'ble Ministers as we find over there, so that they might also rise and join the ranks of rebels, of the people rising in rebellion for the freedom of their country. I would congratulate the Indian soldiers when like the soldiers of Massaryck they would rise in rebellion against their British officers and will march on under the leadership of Indian Generals as a legion for the liberation of the motherland That will be the occasion, Sir, when I shall congratulate our own soldiers.

Maulvi ABU HOSSAIN SARKAR: Mr. Speaker, Sir, it is very difficult for me to understand how anybody can rejoice at the misfortune of others. Harrar and Keren have been bombarded, destroyed, demolished and looted by foreigners, and here I find some gentlemen who are not ashamed of giving expression to their savage pleasure and brutal rejoice at the sight of the destruction of two fine cities, one in Abyssinia and the other in Eritrea. Only two days back, Mr. Speaker, I found some gentlemen here, some of the Hon'ble Ministers, giving expression to their feelings of sympathy and kindness for the unfortunate victims of bombs in London. But where is that feeling of sympathy and kindness on their part now when we find that these two fine towns have been destroyed? Instead of that we find to-day that these Ministers are rejoicing at the destruction of these two ancient towns and proposing to send a word of congratulation to those who have been responsible for their destruction. I wonder how they could change their colours in this fashion within these two short days.

Mr. Speaker, Harrar and Keren have been razed to the ground and rendered desolate, and not only men but women and children have had

to suffer where people have been bombed either by the Italians or by the British, where ancient monuments and many other fine buildings have been destroyed. I am therefore painfully surprised to find that all the finer human feelings of sympathy which these Ministers possess are reserved for the British men, women and children, especially the London air raid victims. Are not these unfortunate human beings of Harrar and Keren fellow human beings? The only distinction that can be drawn between them and the London air raid victims is that they are black people while the Londoners are white. Are these Ministers so docile as to give expression to their feelings of sympathy and kindness only according to the wishes of their superior masters——

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. May I point out that this rejoicing is for the defeat of the Italian Army and that it has nothing to do with the bombing of the innocent people of Harrar and Keren. I submit therefore that the honourable member is wholly irrelevant.

Mr. SPEAKER: I quite admit that, but sometimes it is difficult to keep pace with the irrelevancies in the House. (Laughter.)

Maulvi ABU HOSSAIN SARKAR: I submit that every Mussalman, no matter whether he is a Mussalman of India or a Mussalman of any other part of the world should have a word of sympathy for these unfortunate Mussalmans of Harrar and Keren. Will the Muslims of India forget that these people of Abyssinia gave shelter to the first batch of refugees from Mecca——.

Mr. SPEAKER: Order, order. You are going into wholly irrelevant ground. You can refer to such matters in passing, but you cannot certainly develop your argument on them.

Maulvi ABU HOSSAIN SARKAR: I am not going to develop that point, Sir. As a passing remark I was going to say that we, the Mussalmans of India, should rather show our sympathy with the unfortunate Muslims of Harrar and Keren which gave shelter to one of the finest batches of Muslim refugees from Mecca——

Mr. SPEAKER: Again, Mr. Sarkar, you are on irrelevant ground. May I tell you that there is nothing in this resolution about the position of the civil population of Harrar and Keren; it simply refers to the capture of those two towns.

Maulvi ABU HOSSAIN SARKAR: I was submitting that there was no cause for our rejoicings, Sir. We are as good slaves as the people of Harrar and Keren are. It does not matter much whether the

Italians are defeated or not; for if the Italians are defeated and the English people win, it only means the perpetuation of our slavery. And if English people want our slavery to be perpetuated for ever, how can people rejoice at the destruction of people who are similarly placed, similarly disgraced, similarly suppressed and oppressed by Imperialist nations? The people of Harrar and Keren are not at fault. They are innocent people. Two warring nations come from Europe—one English and another Italian—and they fight over these beautiful cities and destroy them. Where is the cause of pleasure? How can a man with genuine humanitarian feelings rejoice at the destruction of two towns and of innocent people, women and children of those places? I wonder, Sir, at the change which has taken place within two days in the mind of the Hon'ble the Chief Minister. He has shown his sympathy, a fine feeling for the men, women and children of London. But can he not turn his resolution, can he not shape his resolution so that he can show his sympathy, his kindness, his inter-national obligation and this and that for the poor distressed people of these unfortunate towns? I wonder how this is possible, and how within less than a week people can change in that way.

Further, Sir, I submit, Mr. Speaker, that our soldiers are not practically soldiers of the nation in the true sense of the term. These poor people were ordered by the British Imperialists to take the liberty of other nations. History tells us the story of 200 years, namely, that Indian soldiers, the finest land soldiers of the world, have been used by these British Imperialists to bring slavery on the people of Africa——

Mr. SPEAKER: That kind of argument has been made by Mr. Niharendu Dutta Mazumdar. You better develop some other argument.

Maulvi ABU HOSSAIN SARKAR: Sir, this time we have no cause for congratulation. Rather we should hang down our heads in shame that our people, our soldiers, have been exploited and have been allowed to be ordered to destroy the finest cities of Africa.

With these words, Sir, I oppose, and that vehemently and with all the force that I can command, the resolution moved by the Hon'ble the Chief Minister, a resolution which was inspired and which was ordered to be moved by somebody——

Mr. SPEAKER: Order, order. Mr. Sarkar, you must withdraw the last expression. You have no right to say that the Chief Minister or any member of the House has been or expects to be ordered by anybody to do anything.

Maulvi ABU HOSSAIN SARKAR: Sir, that part of my statement may be treated as withdrawn.

Mr. W. A. M. WALKER: Mr. Speaker, it affords me great pleasure to support the resolution moved by the Hon'ble Chief Minister. It was with considerable gratification that we in this Party learned of the Chief Minister's intention to move such a resolution: gratification, because it gives us an opportunity in public to pay our humble tribute to those responsible for the achievement of these magnificent victories.

There is not much that I can add to what the Chief Minister has already said. All of us have been thrilled at the brilliant and daring exploits of the Imperial Armies in the Middle East as they have gone on from one success to another. These victories could only have been achieved by the brilliant strategy of General Wavell and his staff together with the loyalty, daring and bravery of the troops under his command.

I need hardly stress the importance of these successes from the point of view of the defence of India to whom this battle of the Middle East is of such vital interest.

The strenuous opposition put up by the Italians shows the importance they attached to Keren—the battle was a long and arduous struggle which has ended in a magnificent victory, and it is our humble privilege to pay homage to those who have borne the heat and burden of the campaign.

We desire, Sir, in particular to rejoice at the glorious part played by our Indian soldiers in these victories. Theirs has been a fine record of endurance and courage and once again as in the past they have writ their names large on the pages of the history of this Empire.

Sir, I deem it a very great honour to associate my Party with the resolution moved by the Chief Minister and with the messages of sincere congratulations which this House will ask you to convey to those who have brought about the victories of Keren and Harrar.

I have listened very carefully, Sir, to all that has been said by members on the right, but I feel sure that the rest of the House will agree with me that it should be treated with the silent contempt that it deserves.

Mr. JATINDRA NATH BASU: Sir, my Group and myself associate ourselves wholeheartedly with the resolution that has been placed so eloquently before this House by the Hon'ble the Chief Minister.

Sir, an attempt has been made by some members to raise political issues in connection with the present discussion. I do not see how there could be any room for introduction of such an element in connection with what the Chief Minister has moved. Sir, something has been said about the Indian troops defending India only. Africa is so close

to India, Sir, that the defence of the position and the military operations there vitally affected the safety of India. Think for one moment that these operations had not ended as successfully as luckily they have. Would not there have been apprehension in India? It would have meant further Italian advance towards the east. I do not know whether any of my friends here would have liked such a contingency. We are practically fighting the battle of India on the Italian soil, and we cannot but congratulate the officers and men who are making sacrifices, sacrificing their lives for the safety amongst others of our own country. Sir, ours should be a feeling not only of felicitation but of deep gratitude to the men who are fighting India's battles in Africa. It should always be borne in mind that we cannot take a narrow view of these things and try to introduce considerations which have been suggested by some on the discussion of this resolution. At this stage, a general discussion of political grievances is, I believe, a most irrelevant use of the opportunity given by a resolution of this character.

With these words, Sir, I wholeheartedly associate myself with what the Chief Minister has said.

Maulvi ABUL HASHIM: Mr. Speaker, Sir, let me tell you at the very outset that I feel myself extremely happy at the victory of the enemies of Fascist Italy in Africa. The reason for this joy is not due to my loyalty to my rulers or to the brilliance of Indian soldiers at the battlefields. My sympathies are with Abyssinia. Sir, as you are aware, the entire Muslim world is deeply indebted and I as a member of the Muslim world community am deeply indebted for our very existence, for the existence and spread of Islam, to the country of Abyssinia. As you know, Sir, at the very outset when our Prophet Muhammad started preaching his religion, his gospel to the people, he and his party were severely persecuted. At that time, the Prophet had to send a batch to Abyssinia for protection. There the Prophet's greatest enemy went and requested the Emperor not to listen to what the Prophet said. But, Sir, the King of Abyssinia gave protection to the Prophet's men and to this to a very great extent is due the subsequent success of Islam and the civilization that has been built upon it. Sir, only the other day the King of Abyssinia and the Abyssinians as a nation were turned into slaves by this Fascist Italy. (Mr. NIHARENDU DUTTA MAZUMDAR: Aided by the British.) May be. I know that this victory of the British people in Abyssinia and Africa may not mean liberation of Abyssinia or the reinstatement of the Emperor on his throne. Sir, even if it does not mean that, I have cause for rejoicing at the victory because I am certain the British people will not make the King of Abyssinia and his people homeless and helpless and will not deprive them of all their power and position as the

Italians did. They will at least keep Abyssinia as one of their protectorates. (Mr. ATUL CHANDRA SEN: Miserable!) That is something better than nothing. That is my main reason why I feel happy over these victories. Yesterday I have not been able to associate myself with the resolution moved by the Hon'ble Chief Minister. (Maulvi ABU HOSSAIN SARKAR: You destroy your case.) My friends on the Opposition have said many things about British trusteeship and all that. I am not unaware of those things, and I have no very great regard and sympathy, I may tell you frankly, for the British people as such. (Cries of "Hear! hear!" from the Opposition Benches.) I have already explained my reasons for my sympathies. You may remember for the first time in the last four years I have abstained from taking part in the voting when the Hon'ble Chief Minister moved his resolution for sending Rs. 1 lakh for helping the air raid victims in London. (Mr. SASANKA SEKHAR SANYAL: All credit to you for that!) I deliberately abstained from voting for that resolution because he said that the object was humanitarian. I would have supported him if he had come forward to help other nations also who were suffering. With England we have our differences, but that is our domestic affair. I know that my friends are talking loud of Indian freedom, salvation and all those things. I do not know whether we are going to get our liberty and freedom as a charity, as a gift, from the British nation. I am one of those who do not believe that freedom and liberty are anyone's birth-right. Freedom and liberty are the highest blessings of God bestowed upon man and they are not the birth-rights of anyone. India is not a desert like the desert of Sahara. It is a very flourishing country. Merely by the fact that we are accidently born in India, I don't think that we have any right to enjoy all the good things in the country while there are other hungry and more vigorous nations outside. Very often we talk of efficiency. If efficiency is taken into consideration, if we believe in the survival of the fittest, we must earn the birth-right of freedom. We will have to earn it, and I am prepared to undergo any amount of sacrifice for earning it but not to beg for it from any other nation. If England comes out defeated in this war and Nazi Germany and Fascist Italy win, I have not the slightest doubt that our condition will not in the least improve. It may worsen. But if England comes out victorious, I know that we are not going to get liberty and freedom. But I am certain of one thing, that we shall advance to a little extent at least further than where we are. We have been used to British rule and we can tolerate it a little longer. But I do not know how our condition will improve if Nazi Germany and Fascist Italy win. Therefore, Sir, I am not rejoicing at the success of the British people in Africa, for my loyalty to the British people, or for my regard to the British people. My reasons are two-fold. The first is that the nation of Abyssinia will be

benefited to a little extent. They may not get their former independence, but they will have their hearths and homes protected by the British people. The second is that I believe that in this struggle, if the British people come out successful, then in that case our condition will be comparatively better than what it would be under the rule of Germany or Italy. That is why I associate myself whole-heartedly with the resolution of the Hon'ble Chief Minister.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, I think I correctly heard the last sentence of the speech of the Hon'ble Leader of the European Group—the only sentence I believe which had not been committed to paper. I believe he said that while he listened with great attention to the speeches from this side of the House, he thought that it was best to treat them with silent contempt. Sir, I treat with less than silent contempt manuscript speeches, in which even references to undelivered speeches are included in print or type. It was with great reluctance that I had to listen to the speech of Mr. Walker in which there was no expression of sympathy for the feelings of those who feel that Indian soldiers should not have been sent abroad to fight the battles of England without the consent of the Indian people. That is our point. I can tell you that I do not agree with everything that has been said on this side of the House. My view is this: we Indians have a right to determine when and where we should send out our troops: we must judge the circumstances ourselves, because Indian troops have been used not merely as coolies but as cannon-fodder. I shall say no more on this resolution. I shall neither say that I support nor shall I say that I entirely oppose the motion, but I will vote with my side of the House.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, the representatives of the martial races of the Punjab in a meeting assembled in their Legislative Assembly passed a resolution very much in these terms; and it is not surprising that that resolution was not only unanimous but was passed by the House with all the members standing. These people who know how to pass through cannon-fire can realise the disadvantages under which the Indian soldiers have fought and won and have added plentiful laurels to their record of glory as soldiers in that distant land. But we in Bengal can only rise and make fiery speeches regardless of the fact that the speeches that are delivered are themselves the worst condemnation of the attitude of opposition which has been taken up by some members of this House. It is only under this Constitution which has been condemned that such speeches are possible, speeches verging on sedition and disloyalty——

Mr. NIHARENDU DUTTA MAZUMDAR: It is better to preach from the gallows than to be slaves!

The Hon'ble Mr. A. K. FAZLUL HUQ: Had these speeches been delivered elsewhere they would not have been tolerated.

Mr. SANTOSH KUMAR BASU: Look at your own speeches in the old Council.

The Hon'ble Mr. A. K. FAZLUL HUQ: And that is all the more reason why I am grateful that I was allowed to make those speeches.

Sir, I do not want to say much to prolong this acrimonious debate. I have put forward this resolution in this House for two reasons. In the first place whenever it is a case of Indians achieving a glorious success in that distant land, naturally I consider it to be a matter for rejoicing. Secondly, the Abyssinian base is a matter of great importance to us. As has been pointed out, Abyssinia under the Italians with an opportunity to form a base of operations was a direct menace to the peace and prosperity of India: with the Italians in Abyssinia the European war would be at the very door of India. It is clear therefore that the victory of Keren and Harrar has freed India from the immediate danger of Italian aggression. I may in this connection refer to the matter which Maulvi Abul Hashim has raised, namely, that it is a matter of gratification to us that the Italian defeat is paving the way to the emancipation of Abyssinia from Italian bondage, and I entirely agree with Maulvi Abul Hashim that the Muslims of Abyssinia are entitled to get back their freedom. We are rejoicing, Sir, not merely on the success of our Indian soldiers but also at the thought that the gallant Abyssinians are going to win their freedom which is their birth-right, and which they have been deprived of by the Italians. Sir, I say that we rejoice at the success of our brother Indian soldiers in the battle-field of Africa and in the second place we beg to convey our congratulations through the proper channel and we wish to testify that our Indian soldiers are giving evidence of their martial spirit and acting in a manner in which they can overcome all obstacles. They have demonstrated once more to the world that Indians as soldiers, as statesmen, and as persons holding any other responsible capacity can stand shoulder to shoulder with the representatives of other nations in any part of the world. Even on that simple point of view, apart from others, I regret to find that this resolution has to meet with opposition. If I had raised controversial questions, that would have been a different matter altogether. I have deliberately moved a very short motion, but my friends have delivered such vehement speeches appealing to sentiment more than to reason. If they would only read the resolution, as it is, I submit that they will find that there is nothing in the resolution which conflicts with any opinion which people might hold as regards the war itself, its origin and its consequences. I still hope, Sir, that in spite

of the Opposition speeches, my motion will have the support and sympathy of every section of the House. I hope whatever opposition there may have been, the Opposition has been satisfied by the manner in which you, Sir, have allowed the Opposition to speak with perfect freedom. And I sincerely hope that even now that although there has been opposition in words, there will be no opposition in action.

With these words, Sir, I commend my special motion to the acceptance of the whole House.

The special motion of the Hon'ble Mr. A. K. Fazlul Huq "that this Assembly is of opinion that a message of its sincerest rejoicings may be conveyed through His Excellency the Governor of Bengal and through His Excellency the Commander-in-Chief to Sir Archibald Wavell at the capture of Keren, Harrar and Asmara.

This Assembly further conveys its warmest congratulations to the Indian soldiers and other ranks of the Imperial Forces on the conspicuously gallant part played by them in bringing about these successes" was then put and a division taken with the following result :—

AYES—125.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. (alias Lal Moah).
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Bahadur Maulvi S.
Abdul Metaleb Malik, Dr.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Basu, Mr. Jatindra Nath.
Birkmyre, Sir Henry, Bart.
Biswas, Mr. Rasik Lal.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Faziul Rahman, Mr. (Dacca).
Faziur Rahman, Mr. (Mymensingh).
Gladding, Mr. D.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gyasuddin Ahmed Choudhury, Alhadj.
Golam Rabbani Ahammed.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Heywood, Mr. Rogers.
Hirtzel, Mr. M. A. F.
Ispahani, Mr. M. A. H.

Jalaluddin Ahmad, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Mahtab, Maharajkumar Uday Chand.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Mukerjea, Mr. Taraknath, M.B.E.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Mustagawsal Haque, Mr. Syed.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, Mr. Dhananjoy.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sahebe-Alam, Mr. Syed.
Sanaullah, Dr.
Sarkar, Babu Madhusudan.
Sarker, Mr. Nalini Ranjan.
Sasseen, Mr. R. M.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Speller, Mr. J. H.
Shamsul Huda, Maulana.
Sinclair, Mr. J. F.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. J. R.
Walker, Mr. W. A. M.
Whitehead Mr. R. B.
Wordsworth, Mr. W. C.
Yusuf Ali Chowdhury, Mr.

NOES—46.

Abdul Hakeem, Mr.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chaudhuri, Rai Harendra Nath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Jogendra Nath.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Nasker, Mr. Hem Chandra.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Thakur, Mr. Pramatha Ranjan.
Wahiur Rahman, Maulvi.
Zaman, Mr. A. M. A.

The Ayes being 125 and the Noes 46, the motion was carried.

Adjournment Motion.

Mr. SPEAKER: Mr, Bose, you may now move your motion.

Mr. SASANKA SEKHAR SANYAL: Will it not be convenient, Sir, if you take up the adjournment motion after prayer interval?

Mr. SPEAKER: The adjournment period is 15 minutes under the rule and not half an hour. What I am suggesting is that we will sit, if the House has no objection, till about 6-20 p.m. when I will adjourn it for prayer. Otherwise we shall have to sit late.

Mr. SARAT CHANDRA BOSE: I take it that you will rise at 6-20. That means I will speak for 8 minutes before adjournment and 7 minutes after adjournment.

Mr. SPEAKER: Yes, I would like to adjourn the House at 6-20 and we shall come back at 6-30.

Mr. SASANKA SEKHAR SANYAL: Sir, you used to adjourn the House previously much earlier.

Mr. SPEAKER: Yes, but then the time was 6-15. The time now is 6-25.

Mr. SASANKA SEKHAR SANYAL: Sir, we ordinarily have adjournment for 15 minutes. We may have 20 minutes to-day.

Mr. SPEAKER: If members go now can they come back at 6-30? (Cries of "Yes, yes.")

In that case I think it would be better if I adjourn the House now.

(At this stage the House was adjourned for 17 minutes.)

(After adjournment.)

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I now move the adjournment motion, that this House do now adjourn to discuss a definite matter of urgent public importance and also of recent occurrence, namely, the order issued by the Home Department, Government of Bengal, and served on the *Dainik Basumati* newspaper of Calcutta on Friday, the 28th March, 1941, at 6 p.m. which prohibits—

(*a*) the further publication, sale or distribution of the issue of the *Dainik Basumati*, dated 9th *Chaitra*, 1347 B.S., equivalent to 23rd March, 1941; and

(*b*) the publication, sale or distribution for a period of twenty-one days from the date of service of the said order of any subsequent issue of the *Dainik Basumati* newspaper and which forfeited to His Majesty all copies wherever found of the said issue of the *Dainik Basumati* newspaper, dated the 23rd March, 1941, and any document containing copies, reprints or translations of or extracts from the said issue.

Sir, about this time last year, speaking in this House on an adjournment motion, I described the Defence of India Act and the rules made thereunder as having been promulgated, not for the Defence of India's freedom, but for the perpetuation of India's slavery. Little did I anticipate on that occasion that action after action taken by the Government against newspapers, against particular newspapers and also against the Press generally, involving suppression of important news matters from the public press would prove the truth of my remarks. Sir, the latest example of the suppression of civil liberties is the order which has been passed suppressing the newspaper *Dainik Basumati* for three weeks. The order which has been published bearing the date, 27th March, 1941, says that the ground for such suppression is that the issue of that paper of the 23rd March last contains prejudicial reports of the nature described in sub-rule (7) of rule 34 of the Defence of India Rules read with clause (*f*) of sub-rule (*6*) of that rule. I will not take up the time of the House by quoting the rules which have been mentioned in the Government communiqué. It will suffice if I were to inform the House that the charge against the *Dainik Basumati* is the promotion or the incitement of class hatred, to use the exact words of the Defence of India Rules, to promote feelings of enmity and hatred between different classes of His Majesty's subjects.

Sir, I have taken some pains to scan the matters which appeared in that issue of the *Dainik Basumati* beginning from its leading article of that day. Sir, if a few lines of criticism against the Chief Minister followed by a few lines of criticism as against Mr. Shahabuddin followed also by a few lines against, if I may use the Bengali expression in the article, the "*Subodh Balaks*," the expression by which the Hindu Ministers have been described—if such criticism is to be described as promoting feelings of hatred and enmity between different classes of His Majesty's subjects, all that I shall say is that I congratulate the Ministry on their intelligence and their wisdom and their knowledge of the English and the Bengali languages. There is also in that paper—we are left to surmise because the Government have not said which is the offending paragraph or which are the offending paragraphs in that issue—there is also in that paper a report emanating from a place known as Bhola, a place with which I am sure the Hon'ble Chief Minister is personally familiar. Sir, if the publication of a report that some members of one community did this and some members of another community did that also comes within the mischief of the Defence of India Rules, then I shall say that under the garb of the Defence of India Rules you are really suppressing civil liberties in this land.

Sir, speaking a few days ago on this order of the Bengal Government I said that it was the latest example of the gross misuse of the Defence of India Rules to which this Government seem to have

become a confirmed addict. On that point, I may draw the attention of the House to what was said and done in the British House of Commons when the Government there proposed an amendment through its Home Secretary to shut down any newspaper if he was satisfied that there was in it a "systematic publication of matter which was in its opinion calculated to foment opposition to the prosecution to a successful issue of any war in which His Majesty is engaged." Mark the words there. The amendment proposed was in respect of *systematic publication of matter* which was calculated to foment opposition to the prosecution of the war—not one stray matter here or another stray matter there, not a matter which has been published without warning. Systematic publication was what the amendment aimed at. But even then, the British House of Commons—a very large section of the members of the British House of Commons—took the view that it amounted to a serious suppression of the civil liberties, and Sir John Anderson of Black and Tan fame and of Bengal fame was at great pains to defend the amendment. I think it is necessary to remind the House of what Sir John Anderson's defence was. He said: "The fact that the Government of this country has been reconstituted and now contains representatives of all the elements in our public life is a safeguard." That safeguard, of course, does not exist in this province. It never existed in the past and it does not exist to-day. His next defence was, he said, that though an appeal to the Courts had not been provided, the exercise of vigilance by the House of Commons itself would in practice be a much more potent safeguard. It must be remembered that the British Houses of Parliament are known and in fact act as the High Court of Parliament. It is a Court no less honourable than the Royal Courts of Justice in Chancery Lane.

Now, Sir, in opposition to the amendment it was said by a very large section of the House of Commons—the difference between those supporting the amendment and those opposing it in the British House of Commons was only 38—it was said by the large minority there that even the House of Commons, a part of the High Court of Parliament, was a poor substitute for the law courts as the guardians of the subjects' liberties. None of these defences are available to the Hon'ble Ministers of this province.

Sir, on a previous occasion I dilated on the meaning and effect of the Defence of India Rules. I shall not do so on this occasion, but I shall remind the House that there are even to-day some Englishmen who know how to condemn high-handedness and to uphold civil liberties, refusing to stretch the law in the interests of this new tyranny of administrative law. I am referring to a recent judgment of Mr. T. D. Wickenden, District and Sessions Judge of Nagpur, a British Civilian, who in acquitting our comrade Sj. R. S. Ruikar, said, "One of the great dangers of emergency legislation in time of war is a tendency

to divert it against the ordinary civil liberties of the people," and, he wound up by saying, "that unfortunately one of the most deplorable features of emergency laws is that they must often deny their victims the right to invoke the help of courts of justice." I know, Sir, that the experience of the present Government with the *Basumati* has been rather sad and painful to them. I remember that when the Press Act was enforced against them and a large sum of money was sought to be forfeited, the Calcutta High Court, which was described by Chief Justice Sir Francis Maclean as "the last refuge of those who were pursued by an overzealous executive," came to the rescue of the *Basumati* and set aside that order. I remember also that prosecution was launched against *Basumati* under one of the sections of the Indian Penal Code and the same High Court came to the rescue of the *Basumati* and did justice to it as against the Government. Sir, possibly those sad and painful experiences—I mean, sad and painful to the members of the Treasury Bench—incited them to launch this new attack against the *Basumati* in a manner that offered the *Basumati* no means of escape in a legal and constitutional way. Sir, I do feel and I do maintain that there is not the slightest justification, having regard to the existing law of the land, having regard to the 500 odd sections of the Indian Penal Code and having regard to the rigorous provisions of the Press Act, there is no justification whatever for the present Government to invoke in their aid the provisions of the Defence of India Rules,—rules which were promulgated for the efficient prosecution of the war, rules which were never meant to be applied to ordinary matters which could be dealt with under the ordinary law of the land. I therefore say that it is a gross misuse of these rules to apply them to cases of this nature.

Sir, speaking on the restrictions which had been imposed on the Indian Press and Indian people several decades ago, John Bruce Norton of illustrious memory said: "The Indian Government, the Indian Civil Service, the Court of Directors, the Board of Control have everything to gain by secrecy." Would I be wrong in saying that the present Government also have everything to gain by secrecy? He further said, "They have everything to lose by publicity." Would I be wrong in saying that the present Government have everything to lose by publicity? He further said, "By gagging the Press the Indian Government has wanted to secure to itself the entire occupation of the public ear." Would I be wrong in saying that the Government of Bengal by means of these gagging orders want to secure for themselves the entire occupation of the public ear so that no other voice can be heard? John Bruce Norton further said, "It can put forward what it pleases, keep back what it pleases, alter what it pleases, mystify what it pleases." That is what the present Government of Bengal are seeking to do. Sir, the blue light is on, and I shall not say more on this occasion, but I do maintain that having read the issue—the

so-called offending issue—from the beginning to the end, I do not find one word there which can be construed as a prejudicial report if a fair and liberal meaning is to be put to these words in the Defence of India Rules. This attitude of the Government reminds me of a famous utterance of a great British philosopher statesman: "Invention is exhausted, reason is fatigued, experience has given judgment, but obstinacy has not yet been conquered." I ask the Government, when are they going to cry a halt to their mad career? I would ask them in conclusion, when will they cease from mounting from one folly to another greater folly and tumbling from one absurdity to a yet greater absurdity? (Loud applause from the Congress and other Opposition Benches.)

Mr. SATYAPRIYA BANERJI: Mr. Speaker, Sir, it is a privilege to be able to support the adjournment motion which has been moved in a manner which was possible only for my leader, the Leader of the Opposition, Sri Sarat Chandra Bose. I think, Sir, I shall be failing in my duty if I do not join my voice of protest, however feeble it may be to that of my leader, against this wanton act of injustice and unrighteousness, retaliation and revenge which the Government of Bengal has perpetrated by passing the order on *Basumati* which is the subject-matter of to-night's adjournment motion.

Sir, we claim to live in an age of democracy, and what is more, we claim to fight, in the present war, for the re-establishment of democracy. Whatever differences of opinion there may exist about the success or failure of democracy, the utility or futility of democractic freedom, I am sure there is absolutely none, that it has bequeathed to us certain rights, it has vouchsafed to us certain liberties, viz., liberty of thought, liberty of press, liberty of speech, liberty of association, liberty of movement and liberty of person, rights and liberties for the attainment of which humanity had been steadily and continuously fighting. And of all these liberties, Sir, liberty to know, to speak and to criticise stands first and with this liberty, the order that forms the subject-matter of to-night's debate seeks to intertere.

Sir, in any democratic country, the Press has an important function to perform and onerous duties to discharge. In fact, it has been called the fourth estate. It has to collect, circulate and interpret news of public interest. It helps in creating, and reacts on, public opinion, which is, in the last resort, the bulwark of all Governments. And in order that it may satisfactorily perform its function and discharge its duties, it should be free from all arbitrary official restrictions upon the dissemination of news and comment upon news. Sir, in the words of Mr. Wickham Steed, a well-known English Journalist, and a former editor of the *Times*, "The freedom of the Press, that is to say, the absence of arbitrary official restrictions upon the dissemination of news

and comment upon news is a pledge of public safety. It ensures that all sides of a case shall be heard before a free community makes up its mind. But since ideas may differ upon the degree of knowledge that is good for a community, the principle has gained recognition that freedom should be given the benefit of any doubt there may be and that a larger measure of it is better than a smaller."

Let me now, Sir, come to the order itself. It is said that the *Dainik Basumati* of 23rd March, 1941, contains prejudicial report likely to promote feelings of enmity and hatred between different classes of His Majesty's subjects. Sir, I have carefully read and reread all the matters, especially the leading article, "*Sampradaik Danga*" and have no hesitation in saying that no right-minded person can, by the longest stretch of imagination, come to the conclusion that it contains prejudicial report of the nature referred to above. Sir, a few days back, I asked a question whether any action would be taken against the *Star of India* with regard to an article which appeared in it on the 4th of March last and which fomented communal hatred and incited disturbance of public peace to which the Hon'ble Mr. Fazlul Huq in his own usual way replied in an emphatic negative. I asked, Sir, another question whether any action would be taken against the Hon'ble Mr. A. K. Fazlul Huq himself for fomenting communal discord and hatred, but I am sorry to have to say that you, Sir, in the abundance of your wisdom thought fit for reasons best known to yourself to disallow it. I am referring to these questions, Sir, because they unmistakably go to show how dangerous it is to place arbitrary powers, as a result of emergency legislation, in the hands of a Government however well-intentioned it may be, not to speak of such a communal-minded one as the present Government of Bengal certainly is. If the *Dainik Basumati* committed any offence, was not the arm of the ordinary laws of the land and the Press Laws long enough to reach it? Why then Sir, this subterfuge, this recourse to the Defence of India Act and Rules thereunder, an Act admittedly an emergency measure for ensuring public safety and interest and the Defence of British India and the efficient prosecution of war? Why this severe, unwarranted, unjustified and uncalled for intringement of the liberty of the Press? Is it, Sir, State necessity? State necessity, Sir, is a very vague, wide, elastic and I may add a dangerous expedient; under its protecting wing can be brought everything which appears to be unpalatable, inconvenient and uncomfortable to the powers that be. No, Sir, it is not State necessity in the real sense of the term; if it is at all so, it is in the word of Sheridan, one of the greatest of English orators, a quibbling, pilfering, prevaricating State necessity that tries to skulk behind the skirts of justice, a State necessity that tries to steal a pitiful justification from whispered accusations and fabricated rumours. No, Sir, it is not State necessity—tear off the mask and you will find it is

only malice lurking under the gaudy disguise of justice, it is revenge—coarse and vulgar—seeking to feed fat perhaps an ancient grudge, it is retaliation, pure and simple, riding rough-shod over all canons of justice, equity and good conscience.

Sir, the Defence of India Act and the Rules thereunder have clothed the Government with unlimited powers, powers with which no executive can safely be entrusted because, in the words of Mr. Wickenden, District and Sessions Judge, Nagpur, "one of the great dangers of emergency legislation in time of war is a tendency to divert it against the ordinary civil liberties of the people." That being so, the Government will do well to remember the eternal truth that man was not made the property of man, that there is a limit to the patience under the detested tyranny of man, that human power is a trust for human benefit and that when it is abused, revenge becomes justice, if not the bounden duty of the injured.

Babu PREMHARI BARMA: Mr. Speaker, Sir, I rise to support the adjournment motion moved by the honourable Leader of the Opposition.

Sir, the order against the *Basumati* under the Defence of India Rules has been totally misdirected. If by such an order Government want to suppress communal riots, then the Government would have done well if it had passed this order against the Chief Minister, the Hon'ble Mr. A. K. Fazlul Huq, who by his reckless and irresponsible utterances was primarily responsible for the communal riots in different parts of Bengal. (Cries of "Question, question" from the Coalition Benches.)

Sir, the Press published only one incident, but the utterances of the Chief Minister during the last four years have brought about strained relations between the two major communities of Bengal, who have all along been living in amity. Sir, the direct cause of the communal riots is the utterances of the Chief Minister.

Mr. SPEAKER: Order, order. Communal riot is not the issue here. Nobody has raised this issue. Government also have not mentioned it, and it does not appear anywhere in the notification that communal riot is the reason for which the notification has been issued.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. That is the heading of the leader.

Mr. SPEAKER: That does not matter. We are bound merely by the notification and the Government order, whatever may be the leader.

Rai HARENDRA NATH CHAUDHURI: How can that be?

Mr. SPEAKER: I am afraid this debate cannot be a debate on communal riot and its genesis. Mr. Barma is arguing as to the genesis of communal riot, but this motion has got nothing to do with the genesis. All that is necessary for us to argue is whether there was any justification for Government to pass the order.

Mr. SARAT CHANDRA BOSE: Sir, having regard to your observation, may I submit that in order that this debate may proceed on right lines somebody on behalf of Government should get up at this stage and say what are the prejudicial reports in the paper which are complained of?

Mr. SPEAKER: Mr. Sarker came to me just now and I told him; perhaps he has now realised it.

Babu PREMHARI BARMA: Sir, this order relates to——

Mr. SPEAKER: I have told you that you should not refer to them.

Babu PREMHARI BARMA: These are the reports with regard to the riots——

The Hon'ble Mr. H. S. SUHRAWARDY: That cannot make the communal riots relevant.

Babu PREMHARI BARMA: Sir, if you want me not to deal with the communal riots, Government——

Mr. SPEAKER: I shall have to ask you to sit down because I have repeatedly told you that the genesis of the communal riots has got nothing to do with the adjournment motion.

Babu PREMHARI BARMA: The *Dainik Basumati* only published what was reported about the riot and, therefore, Government ought not to have suppressed the *Dainik Basumati* itself in their anxiety to suppress the news of the communal riot. The Government passed this order on the ground that the *Dainik Basumati* wrote something about the communal riot. It was not at all desirable that Government should have passed such an order. Moreover, the order was not strictly according to the Defence of India Rules. They are intended for the defence of India, but this Government are using the Defence of India Rules to stabilise Muslim rule in Bengal. They are using these rules to stabilise Muslim and Communal Raj in Bengal.

Therefore, Sir, these rules have been misused. I think that the Government have issued this order to suppress news and if they suppress news with regard to the communal riot in this way, then the result will be that wild rumours will be afloat in the country and the effect will be disastrous. Therefore I think that instead of suppressing the real news from the public, Government should give correct news to the public.

Srijut NARENDRA NATH DAS GUPTA : Mr. Speaker, Sir, গত বৎসর যখন এই Houseএ Defence of India Rules সম্পর্কে আলোচনা হয়, তখন বক্তৃতা প্রসঙ্গে আমি বলেছিলাম যে এটা Defence of India Rule নয়, এটা Defence of Ministry Rule. আমি তখন বলেছিলাম এই rules গুলি ব্যবহৃত হবে, বাংলার চারিদিকে হিন্দুদের উপর যে নির্য্যাতন চল্‌ছে সেই নির্য্যাতনের প্রতিবাদের কণ্ঠরোধ করবার জন্য। বর্ত্তমানে বসুমতীর উপর যে বিধান জারি করা হোয়েছে তাতে সেদিনের আশঙ্কা সত্যে পরিণত হোয়েছে। আমার বাড়ী বরিশাল জেলায়। আমি ভোলা থেকে গণ্ডগোলের সংবাদ পেয়ে, সাধারণতঃ দাঙ্গাহাঙ্গামা সম্পর্কে যে পন্থা অবলম্বন করি সেই পন্থা অবলম্বন কোরলাম। এবং আমি নিজেই চলে গেলাম Barisalএর জেলা Magistrateএর কাছে। তাঁকে বল্লাম আমার কাছে এই প্রকারের একখানি পত্র এসেছে এ সম্বন্ধে আপনি officially কি সংবাদ পেয়েছেন। Mr. Bell তাঁহার official report, কি পেয়েছেন তা ব্যক্ত করেন। বসুমতীতে যে সংবাদটা বেরিয়েছে ঠিক পুরাপুরি সেইভাবে জানান। উপরন্তু, Mr. Bell আমরা যে সমস্ত সংবাদ পেয়েছিলাম না সেই রকম সংবাদ দেন।

Mr. SPEAKER : I am afraid you are going beyond the scope of the motion.

Srijut NARENDRA NATH DAS GUPTA : আমি বসুমতীতে যা বেরিয়েছে সেইটা consult কোরে বলছি। আমি যা সংবাদ পেয়েছি তার চেয়ে বেশী বলছি না।

Mr. SPEAKER : Magistrate সম্বন্ধে না বলে, বসুমতী সম্বন্ধে বলুন।

Sirijut NARENDNA NATH DAS GUPTA : আমি সংবাদ পেয়েছি হোলি উৎসবের সময় যখন উৎসবকারীরা রাস্তা দিয়ে যাচ্ছিল তখন কোন মুসলমানের গায়ে আবির লাগে। এই ব্যাপার নিয়ে মুসলমানেরা গরু জবাই কোরে সেই রক্ত নিয়ে হিন্দুদের গায়ে ছিটিয়ে দেয়, এবং সেখানকার Assistant Superintendent of Police Mr. Anath Gangulyর গায়েও দেয়। এই প্রকারে উন্মত্ত জনতা কোন বাধা না মেনে রাস্তায় রাস্তায় ঘুরিতে থাকে।

Mr. SPEAKER : May I know what is the relevancy of that to the Government order ?

Srijut NARENDRA NATH DAS GUPTA : It is relevant because what the *Dainik Basumati* published was quite accurate.

Mr. SPEAKER : Is that in the issue of 23rd March of that paper ?

Srijut NARENDRA NATH DAS GUPTA : Yes Sir. বরিশালের District Magistrate (Executive Head) আমাকে যে সমস্ত কথা বলেছেন ঠিক সেই সমস্ত কথাই বসুমতীতে লিপিবদ্ধ হোয়েছে। বসুমতী কোন প্রকার সাম্প্রদায়িক বিদ্বেষ বুদ্ধির দ্বারা প্রণোদিত হোয়ে অযৌক্তিক, অতিরঞ্জিত বা ভুল সংবাদ প্রকাশ করে নাই। ঠিক নিখুঁতভাবে যে ঘটনা ঘটেছে সেটাই বের করেছে। এই সংবাদে আছে তার পর দিন উন্মত্ত জনতা হাট লুট কোরেছে এবং বহু লোক আহত হোয়েছে—এর বেশী বসুমতী কিছুই লেখেনি। District Magistrateএর নিকট আমি যে সংবাদ পেয়েছি তাব সঙ্গে বসুমতীর সংবাদে যথেষ্ট সামঞ্জস্য আছে। জানি না এই ঘটনা অবলম্বন করে Defence of India Rules ব্যবহৃত হোয়েছে কি না? জানি না বসুমতীতে এ ছাড়া আব কোন সাম্প্রদায়িক খবর লিপিবদ্ধ হোয়েছিল কি না? কাজেই ধরে নিতে হবে এই সংবাদেব উপর ভিত্তি কোরে বাংলা গভর্ণমেণ্ট তিন সপ্তাহের জন্য বসুমতীব প্রকাশ বন্ধ করে দিযেছেন। বর্ত্তমান গভর্ণমেণ্টের এই প্রকাব জবরদস্তিমূলক ব্যবস্থাব বহু পবিচয় পাওযা গিযেছে। কিন্তু বসুমতীর কণ্ঠরোধ কবার যে ব্যবস্থা হোযেছে নির্লজ্জ বর্ব্বরতায তা অন্যান্য সমস্ত কিছুকে ছাড়িয়ে গিয়েছে।

হিন্দুদের উপর নির্ম্মমভাবে অত্যাচার ও নির্য্যাতন চালানই যদি বর্ত্তমান গভর্ণমেণ্টের উদ্দেশ্য হয় তাহলে তাঁবা বসুমতী এবং অন্যান্য কাগজেব কণ্ঠবোধ কোবতে পারেন। যদি সমস্ত বাংলাদেশে তিন কোটী হিন্দুর প্রাণে এই আতঙ্কের সৃষ্টি হয় যে, বর্ত্তমান গভর্ণমেণ্টের আমলে তাদের মানমর্য্যাদা, ধনসম্পদ এবং ধর্ম্ম কিছুই নিবাপদ নয়, তাহলে বাংলাদেশে শাসন কার্য্যের মধ্যে যে বিশৃঙ্খলতা আসবে এবং সমস্ত বাংলাদেশ জুড়ে অসন্তোষের যে দাবানল ছড়িয়ে পড়বে তা নির্ব্বাপিত করার সাধ্য হবে না প্রধান মন্ত্রী বা বৃটিশ গভর্ণমেণ্টের। তাঁরা বলতে পাবেন যে তাঁবা হিন্দুদের সর্ব্বনাশ কোববেন। হিন্দুর সর্ব্বনাশ হোলে সোটা বাংলার সর্ব্বনাশ হবে এবং বর্ত্তমান গভর্ণমেণ্ট সেই দাবানলের মধ্যে পুড়ে ছাই হোযে যাবে।

Dr. SYAMAPROSAD MOOKERJEE: Mr. Speaker, Sir, I rise to give my support to the adjournment motion moved by Mr. Sarat Chandra Bose.

Sir, when the Defence of India Rules were passed, apprehensions were expressed in many quarters that the rules might be applied not for the purpose of protecting legitimate war interests in this country but for suppressing public opinion on matters concerning vitally the welfare of the people at large. Sir, these apprehensions were expressed not only in this Chamber but also in the Central Assembly when

matters came for discussion before that House, and the Home Member of the Government of India gave a definite assurance that the instructions which had been sent to the Provincial Governments were such that it should not be reasonably possible for any Provincial Government to misapply the Defence of India Rules as apprehended by the Opposition. Sir, to-day the matter which has been raised for discussion in course of the adjournment motion assumes more than ordinary importance This order was passed on the *Basumati* on Thursday, just three days after a general order had been passed by the Provincial Government prohibiting the publication of news concerning communal disturbances in the province unless such news was censored by officers nominated by the Government. Sir, it passes my comprehension why this order on the *Basumati* in particular was separately passed after the promulgation of the general order only a few days ago. If the Government really felt that in view of the peculiar position through which the province was passing to-day it was necessary that news should not be published unless censored by Government—a viewpoint to which we have not and we cannot subscribe—if that was the real point of view of the Government, it passes my comprehension why a particular issue of the *Dainik Basumati* was selected for news published previous to the ban, and a severe penalty was imposed on it prohibiting its publication for a period of three weeks. Sir, I have before me a copy of the order which was not served on the printer but was served only on the editor of the newspaper.

Now, Sir, in that order it is not mentioned which particular portion of the article published in this issue of the *Dainik Basumati* is objected to by the Government. It has been pointed out by previous speakers that up till now Government has not made its position clear as to which passage or which article in question has offended against the order concerned, namely, its publication tends to foment class hatred in the province. Now, Sir, if you look at the newspaper you will find that certain items of news had been published in that issue concerning the communal disturbance at Dacca and other places. If you look at the newspaper a little minutely you will observe that at least in cases of four items of news they were taken from the United Press and the Associated Press messages. I take it that Government was not passing its order in respect of any of the news published under the authority of the Associated Press or the United Press. Then, Sir, there is news published with regard to the disturbances that occurred at Bhola to which a special reference was made by the previous speaker. Now, in that report, it is true, mention is made of Hindu-Muslim clash in that place in the district of Barisal, when there was an altercation on the day of the last *Holi* when a cow was slaughtered and the blood of the cow was sprinkled because the Muslims were offended as some *Holi* water was thrown on a Muslim. Now, let me

ask, Sir, is this the item of news for which this severe penalty has been imposed on the *Dainik Basumati*? That the news is true cannot be denied. In fact, the first information report confirms it.

Sir, the only other article is the leading article on that day. If you read that article you will not find any objectionable passage there which seeks to foment class hatred in any manner whatsoever; on the other hand, the Government *communiqué* had been printed in Bengali *in extenso* and the editor says that the paper wholly endorses the viewpoint expressed in the Government *communiqué* and also expresses its hope that normal condition may be restored in Dacca as soon as possible. Of course, the paper proceeds to add that what has been done is not sufficient. It refers to certain offensive remarks made in certain newspapers over which the present Ministry has special control, namely, the *Star of India* and *Azad*, and the editor of the paper pertinently enquires what special steps have been taken against these particular newspapers which have been fomenting class hatred. (Cries of "Question, question" from Coalition Benches.) You may question, but you cannot question the truth. You may go on questioning for eternity, but you will never get a different answer.

Sir, so far as the question of the particular passage is concerned, let me ask you in all seriousness, is a reference to these newspapers an offence under the law? Does it seek to foment class hatred for which the *Dainik Basumati* has been banned for three weeks? And then the paper says that it is desirable that Hindu Ministers should visit the place of occurrence and also, if possible, His Excellency the Governor might also go to that particular place. May I ask in all seriousness, are these references objectionable in any way whatsoever which justifies the Government to ban the *Dainik Basumati*? I know, Sir, the Chief Minister will say, look at the past records of the *Dainik Basumati*. But that is not a relevant question at all. If these questions are raised, we are prepared to discuss them on their merits. If any offensive article had been written by the *Dainik Basumati* in the past, may I enquire, Sir, was any warning given to that newspaper; was the attention of the paper drawn to the offensive article during the last few weeks? Why, again, should the Defence of India Rules be applied instead of proceeding under the ordinary law? If on the other hand it is proved that on that very particular day on which the *Basumati* was published, other newspapers published similar news, and that there were other newspapers such as the *Star of India* and *Azad* which published information of a most offensive character, may I enquire, Sir, of the Government which claims to be the custodian of the interests of Hindus and Muslims alike and of the general peace of the province, why is it that no action has been taken against these two newspapers? You look at *Azad* of that very day, *i.e.*, of Sunday, 23rd March. Here a statement is printed that in particular portions

of Dacca there have been cases where the Hindus have attacked Muslim women, have torn their hair and have also reduced them to a state of nudity. Such a remark is printed here in cold print——

The Hon'ble Mr. A. K. FAZLUL HUQ: On a point of order, Sir. I think, this is wholly irrelevant. (Cries of "Oh! oh!" from the Congress Benches.) It is no question of "Oh! oh!" I ask for your ruling, Sir. If speakers are allowed to stray on to feats of irrelevancy, the debate will not end.

Mr. SPEAKER: Dr. Mookerjee, all I say is that you cannot enter into details, because once you do it, it will be necessary for the Chief Minister to say whether that statement is correct or not. Therefore, whatever you want to say must be on general terms without reading the details.

Dr. SYAMAPROSAD MOOKERJEE: I am not reading the details for the purpose of proving or disproving their accuracy. What I am saying is that action has been taken against a particular newspaper because it has been promoting class hatred, but on that very Sunday articles were published in the *Azad* which are far more offensive than what has been published in the *Dainik Basumati*. May I ask, Sir, why this deliberate discrimination? It is not merely a question of the correctness or otherwise of the statement which had appeared in any newspaper whatsoever. But why this deliberate discrimination on the part of the Ministry? (The Hon'ble Mr. A. K. FAZLUL HUQ: Because——) Because that is the policy of the present Ministry. (Cheers from Opposition Benches.)

So much with regard to the *Azad*. Now, look at the *Star of India*. In the *Star of India* an anonymous letter is printed and published on the same day, Sunday, where an allegation is made that the Muslim casualties are not receiving proper attention in the hospital which is overwhelmingly manned by Hindu doctors. May I ask, Sir, is not that a hospital which is under the control of Government? And if there are doctors there who may be Hindus, why should such a serious allegation be allowed to be published in any newspaper attacking the integrity, honesty and efficiency of doctors belonging to a particular community, specially at this critical hour?

Now, Sir, I only refer to these two instances because on that very day the *Dainik Basumati* published other news which is regarded as offensive. Sir, I have scanned these articles with as much care as I could possibly devote and have not been able to discover anything which could possibly be brought within the purview of the particular rule which it is supposed to have offended. If the intention of the Government was *bonâ fide*, why was not action taken against other

newspapers which have clearly been fomenting class hatred even on that particular day? I am not referring to issues published on days previous to that. I am confining myself only to the issues of newspapers published on that particular day and that is a straight question which I am putting to the Hon'ble the Chief Minister.

Sir, as regards the general question raised, I shall conclude by saying that the province is now passing through a state of great tension and it behoves every one of us to do all that is possible for restoring the normal conditions of peace in the province. But that can be done, Sir, not by following the methods which the Government has sought to follow in this particular instance. It will not be done by suppressing news. It will be done by releasing for publication news in which not only local people are interested but people throughout the province are interested. There have been cases, Sir, when news has been deliberately kept back, although publication of such news was essential for the purpose of establishment of peace and harmony of this province. Sir, the Hon'ble the Chief Minister referred a few days ago to his inability, to his failure to take action against the newspaper *Star of India*. I saw that in the newspapers. He said that such questions had better not be pressed because already a peace conference was going on under the Chairmanship of His Excellency the Governor. If that was the motive which impelled him not to take any action against newspapers like the *Star of India*, may I not ask him, Sir, could not the same motive have impelled him for not taking any step against the *Dainik Basumati*. I would tell him once again that it will help to restore normal conditions if not by words but by deeds the Government can make the people of Bengal realise that they are not really partisans for the purpose of placing their communal ascendancy in this province. Whatever might have been done in the past, if in this instance the Hon'ble the Chief Minister at this stage gets up and says that the order will be withdrawn, that will help in the restoration of confidence in the public mind. (Loud applause from Opposition Benches.)

Mr. ATUL CHANDRA SEN: Sir, Lord Morley in his "Memoirs" tells us that addressing a letter to Lord Minto, the then Governor-General of India, with regard to the deportation and externment of eight prominent political leaders of Bengal under Regulation III of 1818, he as Secretary of State for India wrote: "My Lord, I beseech you to avoid one thing, namely, the trial of a single accused person in his absence. It has an ugly Austro-Russian look." Sir, if I were permitted to address a letter to the Hon'ble Maulvi A. K. Fazlul Huq, Chief Minister of Bengal, with regard to the action his Government have taken against the *Basumati*, I would write: "My dear Maulvi Sahib, I beseech you to avoid one thing, namely, the gangster method of administration in dealing with the Press of the province." (The

Hon'ble Mr. H. S. SUHRAWARDY: What? Gangster method?) Yes, I repeat gangster method in dealing with the Press of the province. Unless this timely warning is administered to the Chief Minister, who knows he might one day go out at the head of a gang, a hammer in hand, and smash a printing press that produces articles not quite complimentary to the Hon'ble Mr. A. K. Fazlul Huq and his Government.

Sir, I do not propose to enter into a general discussion of the gangster method of administration of the Government and the abuses of the autocratic powers vested in them after what has been said by my Leader on the subject. I will proceed straight to the leading article of the *Basumati* which, I presume, is the article that has invited the wrath of Government upon its devoted head. This article is devoted mainly to a discussion of the recent happenings in Dacca. It begins by making a reference to the Government *communiqué* on the subject, dated the 21st March. This *communiqué* stated that the situation at Dacca at that time was almost under control, and it appealed to all newspapers not to make irresponsible criticisms or observations on the communal situation at Dacca and elsewhere. Sir, the *Basumati* in course of the editorial reciprocates the sentiments expressed in the *communiqué*. It writes: "We accord our fullest sympathy to the spirit which actuates this *communiqué*." But the *Basumati* takes exception to that part of the Government *communiqué* which stated that the situation at Dacca at that time was almost under control. The *Basumati* writes: "It does not, however, appear that the situation at Dacca was under control even on the 21st March, the day on which the Government *communiqué* was published, as appears from the fact that Mr. P Nag, Subdivisional Officer, was stabbed on that very day." Sir, I wonder if the *Basumati* by this very pertinent and very relevant criticism of this portion of the Government *communiqué* has brought itself within the mischief of the Defence of India Rules. If the *Basumati* has erred, it has erred on the side of underestimation and not overestimation of the dangerous situation that prevailed on the 21st March, on the day previous and on some days following.

Sir, I was at Dacca from the 20th to the 28th March. During all these days that I was there I have tried to study the situation with my own eyes. I have visited the affected areas. The people of Dacca know it; the Nawab Bahadur of Dacca knows it; and, Sir, if you ask me to give to the House a vivid description of the situation at Dacca, my language fails me to give such a description. I can only tell you that during those unhappy days Dacca was a veritable hell. There was indiscriminate stabbing and assault in many parts of the city. There was also arson. On the 21st of March three important commercial *mahallas* of Dacca, namely, Maulvi Bazar——

Mr. SPEAKER: I hope you will not go into details.

Mr. ATUL CHANDRA SEN: I am just trying to show——

Mr. SPEAKER: The moment you enter into details you go beyond the scope of the motion.

Mr. ATUL CHANDRA SEN: I submit, Sir, that the *Basumati* by saying that it was not a correct statement of affairs at Dacca to say that the situation was under control did not really deviate an inch from the path of the real state of affairs there.

Next, Sir, the *Basumati* makes a reference, as my friend Dr. Syamaprasad Mookerjee has pointed out, to the *Azad* and *Star of India*. I leave that alone. The *Basumati* next makes a reference to Mr. Fazlul Huq's irresponsible statements which he has recently made in connection with the census and which in the opinion of the *Basumati* were in a way responsible for rousing race-hatred in Bengal. I surely think that in expressing this honest opinion the *Basumati* did not bring itself within the mischief of the Defence of India Rules. Then the *Basumati* makes a suggestion that if His Excellency the Governor of Bengal personally went to Dacca, his presence there might be very helpful. Whoever in this House can object to this statement? Next the *Basumati* says with regret that the two Ministers who went there to deal with the situation were Muslims and that no Hindu Minister went there to help the situation. I personally bear testimony to the fact that in Dacca to-day there is absolute mistrust and suspicion between the two communities. The Hindus do not believe the Muslims and the Muslims do not believe the Hindus. It is an extremely unfortunate state of affairs there. The Hon'ble Nawab Bahadur of Dacca knows that for some days we as members of the Peace Committee worked shoulder to shoulder. We went to the affected areas and tried to bring Dacca to a normal state of things. He knows that the joint work of the Hindu and Muhammadan residents of Dacca helped to some extent to restore the normal situation there, but unfortunately the services of the Nawab Bahadur towards the latter part of his stay in Dacca were not available to us. We felt that if we could go together along the affected areas of the city much could have been done. I personally wish that Hindu Ministers were there together with the Nawab Sahib. (A voice: There is no Hindu Minister in the Cabinet.) Then, Sir, lastly the Hon'ble Chief Minister was there. It is with a great sense of pain that I say that the Hon'ble Chief Minister who ought to have tried his utmost to restore peace in Dacca by calling together the Hindu and Muhammadan residents——

Mr. SPEAKER: I am afraid, Mr. Sen, you cannot discuss that.

Mr. ATUL CHANDRA SEN: I feel that if the Hon'ble Chief Minister——

Mr. SPEAKER: We are not concerned at all with what the Hon'ble Chief Minister should or should not have done in Dacca. The question at issue is what it is that he has done in connection with the *Basumati*.

Mr. ATUL CHANDRA SEN: I submit to your ruling, Sir. I have tried to impress this House that the editorial of the *Basumati* does not contain a single sentence, a single sentiment, that reasonably ought to bring it within the mischief of the Defence of India Rules. Then, Sir, why has such a drastic action been taken against this newspaper? If people attribute motives to the Government, if it is said because the *Basumati* is not in the good books of Government, if it is said that the *Basumati* by its relentless and unsparing criticism of the Government has made itself an enemy of the Government, and that it is to feed fat the old grudge that this drastic step has been taken against the paper, it is not going far from the truth. I therefore submit that the action of the Government has not been a *bonâ fide* one. I think that Government should at once withdraw the order that has been passed on the paper.

With these words I accord my wholehearted support to the adjournment motion moved by my Leader, Mr. Sarat Chandra Bose.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir. May I, on behalf of the House, thank the Opposition for having quoted a fewer number of law lords, Lord Morley and Mr. Wickham Stead. I am particularly grateful to the Hon'ble and Learned Leader of the Opposition that he did not inflict upon us long quotations from Bernard Shaw. (Mr. SARAT CHANDRA BOSE: That has been left to you.) otherwise the debate would have reached the level of the ridiculous. Democracy, freedom of speech and other high-sounding principles have been repeated at considerable length. We have heard of them for generations. But democracy, in the hands of gentlemen opposite, has become an intellectual demoralisation and liberty complete license. In the face of the situation as it exists, I am surprised at people who have the hardihood to talk of these great principles to-day. In the relation of facts by the honourable member for the University of Calcutta certain important items have been left out. In fact, he stopped just when he should have continued. His ignorance would then have been illuminated and the reason why action was taken by the Government would not have eluded his comprehension.

Journalistic etiquette and the law of the Press would demand reciprocity between newspapers and the Government of the day. When it is said that a certain statement or document has been withdrawn, direct or indirect reference to it is considered to be against the rules of the game. The reference in the *Dainik Basumati* to the statement of Mr. Shahabuddin, which had been withdrawn is, I consider, sufficient to punish the editor. But there is something worse and more serious than that, and that is that in the leading article there is a reference to mosques and places of Muslim worship. It is this reference with the poisonous sting behind it that has created the trouble. The Hon'ble and Learned Leader of the Opposition, in stentorian tones, talked of systematic acts of persons in such matters as capable and deserving of notice. I ask him in all seriousness whether he has noticed the systematic vulgarity, the systematic license taken by the Press continuously from the day the present Ministry came into office? Why the Government did do something and why the Government did not do something else is not before us. When you raise a motion for adjournment you have got to prove your case not by a *suppressio veri* and *suggestio falsi*, but you should come out with facts, make your statements deliberately and then judge the issue on its merits. Where I join issue with the honourable gentlemen opposite is that they take shelter behind statements made in the Central Assembly and preach to us lofty principles of democracy and freedom of speech, but they do not come forward and tell us whether in their view publication or reference to a document which has been withdrawn is right and correct. I can from this side of the House, Sir, state that the Government of the day has been more unkind to the Mussalmans than it has ever been to other sections of the population. The Hon'ble the Chief Minister—and I am pained to make this statement because I belong to his Party—has interfered and is interfering with the freedom of speech, with the freedom of Press and with the freedom of association of the Mussalmans more than with those of others. The very latest exhibition of the power of the Government was seen in connection with the holding of demonstrations about *Pakistan*. You may not agree with the *Pakistan* scheme, but it is the right of the citizens to hold these meetings and place their views before the people in a peaceful way. Iqbal, in his "Shikwah" has put the point in his inimitable way. He says—

رحمتیں ہیں تیری اغیار کے کاشانوں پر*
برق گرتی ہے تو بیچارے مسلمانوں پر

Thy blessings are (showered) on the abodes of others.

(But) When lightning strikes it strikes the helpless Muslims (alone).

Imagine, Sir, roaming politicians wandering all over the province creating a public opinion violently anti-Government, definitely unfriendly to the Mussalmans and disseminating lawlessness all round and yet the Government has taken no action against them——

Mr. SPEAKER: I am afraid you are just entering into irrelevancy.

Mr. ABDUR RAHMAN SIDDIQI: Relevancy comes in, Sir, if you will permit me to say so, when a question of discrimination is raised. I find that discrimination is used against me and my people.

Mr. SPEAKER: And therefore I do not discriminate. I stopped Dr. Mookerjee when he entered into details, and I must stop you as you are doing so.

Mr. ABDUR RAHMAN SIDDIQI: The honourable member for the University of Calcutta wanted to know why the *Basumati* was specially selected. The Persian poet has pithily remarked—

چہ دلاور است دزدے کہ بہ کف چراغ دارد*

How courageous the thief is that he carries a lamp in his hand. There is no choice; all of them are alike; but if the *Basumati* was selected, it was for the simple reason that it had disobeyed a direct order. We may go on talking about the application of the Defence of India Rules and the general Press Law of the country *ad infinitum* but, Sir, what surprises me most is that the Opposition tries to compare me with my ruler. Theirs is a liberty and theirs is a freedom which we do not possess. We are a subordinate dependent people and we have got to act in accordance with the wishes of the masters. Demanding equality of treatment would be to arrogate to myself the rights and privileges which I have never possessed and which the present Government in Bengal is not in a position to give me to-day. In such circumstances, Sir, to quote the decisions and *obiter dicta* of the Judges of the High Court of Parliament appears to me to be slightly beside the point. I have taken notes of the points made by members who have spoken before me, but if liberty and democracy have to be considered and discrimination discussed, I am afraid, Sir, you will pull me up and rule that I am wandering into the realms of irrelevancy. I do not know how the Cabinet works, but in every action of the nature under discussion, I am sure, Sir, the Government consults its legal advisers; every action taken has, or should have, the law behind it. I am at the moment, in another matter the butt of various lawyers' opinions. I am at sea as to what to do——

Mr. SARAT CHANDRA BOSE: There is behind you at the moment one lawyer.

Mr. ABDUR RAHMAN SIDDIQI: May I appeal to the Hon'ble the Leader of the Opposition and those who desire to bring peace into the country to put their own house in order and take account of their own sayings and doings?

Sir, my own position is clear. Like every other Indian I am a slave. Quoting Morley will not help us. Let us talk of peace and if we desire it sincerely, let us try and get it wherever it is obtainable.

I feel certain, Sir, if the honourable member for the University of Calcutta will look into the other paragraphs of the article which he tried to explain to us, he will, with the peacefulness that has now come upon him, find out that the action taken by the Government was justified. He may not get the chance to speak a second time, but it will be in the fitness of things if the spokesman on behalf of the Government in winding up the debate, will give us the extracts from the article he and the last speaker from the Forward *Bloc* benches have so conveniently left out.

Mr. SHAH SYED GOLAM SARWAR HOSSAINI: মাননীয় সভাপতি সাহেব, বিরুদ্ধ দলের অধিনায়ক যে মুলতুবী প্রস্তাব উপস্থিত কোরেছেন আমি তার তীব্র প্রতিবাদ করি। Sir, তিনি তাঁর বক্তৃতায় যে সমস্ত যুক্তি এনেছেন সেই সমস্ত যুক্তির দ্বারা নিজের প্রস্তাবটীকে যুক্তিহীন করা হয়েছে। তিনি গণতন্ত্রের নামে, প্রজাতন্ত্রের নামে, স্বাধীনতার নামে এবং মানবতার নামে বসুমতীর উপর সরকার যে হুকুম কোরেছেন সেই হুকুমকে নিন্দা কোরতে চেষ্টা কোরেছেন। আমি বোলতে চাই গণতন্ত্রের নামে, স্বাধীনতার নামে, মানবতার নামে স্বেচ্ছাচারিতা এবং উচ্ছৃঙ্খলতার এবং রাজদ্রোহীতার কখনই প্রশ্রয় দেওয়া যায় না। আমার বিশ্বাস সাংবাদিকের কর্ত্তব্য অতি উচ্চ। সংবাদ পত্রের উপর দেশের শান্তি ও শৃঙ্খলা নির্ভর করে; এবং দেশের সমস্ত সম্প্রদায়ের শুভাশুভ মূলতঃভাবে নির্ভর করে। আমাদের বিবেচনা কোরতে হবে বাংলার সরকার দৈনিক বসুমতীর উপর হুকুম জারি কোরেছেন কোন নীতির উপর। এই হুকুম জারি করা সঙ্গত হোয়েছে কিনা? দৈনিক বসুমতী পত্রিকা বড় বড় head line দিয়ে লম্বা লম্বা প্রবন্ধ লিখে সারা বাংলার ভিতর সাম্প্রদায়িকতার বিষাক্ত gas ছড়িয়ে দিবার চেষ্টা করেছিল এবং হিন্দু সম্প্রদায়কে উত্তেজিত করে হিন্দু মুসলমানের ভিতর মারা মারি, কাটা কাটি লাগিয়ে বাংলার বুকে রক্তের নদী প্রবাহিত করবার চেষ্টা করেছিল, এই অবস্থায় কি বাংলা সরকারের কর্ত্তব্য নয়, উচিত নয় যে এই জাতীয় কাগজকে বন্ধ করে দেওয়া। আমি মনে করি এবং বিশ্বাস করি বসুমতীর উপর যে আদেশ জারি করা হোয়েছে এটা বিবেচনাশীল সরকারের, চিন্তাশীল সরকারের এবং জনপ্রিয় সরকারের উচিত কার্য্য

হোয়েছে। বাংলার সরকার যদি তা না কোরতেন তাহলে দেশের লোকের নিকট নিন্দনীয় হতেন শান্তিও শৃঙ্খলার নিকট দাষী থাকিতেন। সেই জন্য আমি বাংলা সরকারের প্রধান মন্ত্রীকে ধন্যবাদ জানাচ্ছি ও অভিনন্দিত কোরছি।

Sir, আজ বিরুদ্ধ দলে যারা বক্তৃতা করেছেন এবং কলিকাতা বিশ্ববিদ্যালয়ের ভূতপূর্ব্ব ভাইস চানসেলার এবং বর্ত্তমান সদস্য ডাঃ শ্যামাপ্রসাদ মুখার্জিজ খুব উচু গলায় বাংলা সরকারকে তীব্র ভাবে আক্রমণ করে যে বক্তৃতা কোরেছেন, তাতে তারা বর্ত্তমান Ministryকে সাম্প্রদায়িক আখ্যা দিতে ত্রুটী করেন নাই। আমি কি জিজ্ঞাসা কোরতে পারি, Sir, বাংলা সরকারের দ্বারা কোন সম্প্রদায় বেশী উপকৃত ও লাভবান হতেছেন। Sir, যারা বিরুদ্ধদলে বক্তৃতা কোরেছেন তাদের জিজ্ঞাসা কোরছি তাঁরা বুকে হাত দিয়ে বলুন এই সরকারের দ্বারা হিন্দু community বিশেষ ভাবে লাভবান হন নাই কি? গত পাঁচ বৎসরের Budget আলোচনা করিলে ও চাকুরির হিসাব করিলে দেখতে পাবেন আপনারাই বেশী লাভবান হোয়েছেন অথচ আমাদের গালি দিচ্ছেন। আমার বন্ধু ডাঃ শ্যামাপ্রসাদ মুখার্জিজ আজাদ পত্রিকা হাতে নিয়ে Europeanদের দিকে চাহিয়া বারে বারে অত্যন্ত কাতর অশ্রু ফেলিয়া বক্তৃতা দিয়াছেন, জানি না ইহাতে তিনি কতদুর কৃতকার্য্য হয়েছেন?

The Hon'ble Mr. H. S. SURAWARDY : Sir, the Opposition do not like his speech.

Rai HARENDRA NATH CHAUDHURI : No, we are enjoying it immensely.

Maulvi ABU HOSSAIN SARKAR : The Opposition always enjoys such buffoonery. (Cries of "Hear! hear!")

Mr. SHAH SYED GOLAM SARWAR HOSSAINI : মাননীয় সভাপতি সাহেব, আজ বাংলাব সর্ব্বত্র আমরা শুনতে পাই ঢাকাতে, খুলনাতে হিন্দু মুসলমানের যে communal riot আরম্ভ হোয়েছে——

Mr. SPEAKER : Order, order, You cannot say that.

Mr. SHAH SYED GOLAM SARWAR HOSSAINI : আচ্ছা, আমি আর বলবো না, Sir, এই জটীল অবস্থার মধ্যে এই সংবাদপত্রের মুখ বন্ধ করা হোয়েছে। এই সংবাদ পত্রখানি Governmentনীতির বিরুদ্ধে বরাবর চলে এসেছে কিন্তু Star of India বা আজাদ পত্রিকা Governmentএর নীতির বিরুদ্ধে চলে নাই। কারণ তারা সাংবাদিকের প্রকৃত নীতি ও ধর্ম্ম জানে এবং সেই নীতি ধর্ম্ম ও দায়িত্ব ত্যাগ করে না। আমরা তাদের নিকট অনেকবার সত্য সংবাদ নিয়ে গিয়েছি, কিন্তু তারা ঐ সমস্ত সংবাদ ছাপায়নি। এই দুইটি শান্তি প্রিয় খবরের কাগজকে Dr. Mookerjee তীব্র ভাবে আক্রমণ করেছেন, এই জন্য আমি অত্যন্ত

দুঃখিত। এমন অনেক সংবাদ আমাদের কাছে আছে, আমরা জানি ঢাকা riotএ আহত মোছলমানদিগকে হাসপাতালে হিন্দু ডাক্তার ও হিন্দু ছাত্রগণ morphia injection করায় অকাল মৃত্যু বরণ করিতে বাধ্য হইয়াছে।

Mr. SPEAKER : Order order. You are again mentioning the subject.

Mr. SHAH SYED GOLAM SARWAR HOSSAINI : I am sorry, Sir. আমি বাংলা সরকারের এই নীতি সমর্থন করি, কিন্তু, সঙ্গে সঙ্গে বোলতে চাই বাংলা সরকারের Press বিভাগ অমৃতবাজার পত্রিকা, আনন্দ বাজার পত্রিকা এবং যুগান্তর কাগজে যে সকল হিন্দু মুসলমান বিদ্বেষমূলক প্রবন্ধ প্রকাশিত হোচ্ছে তার প্রতি সে রকম দৃষ্টি দিচ্ছেন না। আমি এই বিষয়ের প্রতি বাংলা সরকারের দৃষ্টি আকর্ষণ কোরছি। এবং অনুরোধ কোরছি এই সমস্ত বক্তৃতায় ভীত না হোয়ে বীরের মত শাসন কার্য্য চালিয়ে যান, বাংলার শান্তি প্রিয় হিন্দু মুসলমান তাদের পশ্চাতে থাকবে। Sir, বাংলা গভর্ণমেণ্ট ও Coalition Party সারা বাংলার প্রত্যেক হিন্দু মুসলমানের পক্ষেই শান্তিকামী। Sir, আপনার যোগে জানাইতেছি যে কেবল দৈনিক বসুমতী বন্ধ কোরলেই চলবে না বা অন্যান্য সংবাদ পত্র বন্ধ কোরলেই শান্তি হবে না। বাংলাদেশে সাম্প্রদায়িকতার যারা ইন্ধন যোগাচ্ছে, যারা সাম্প্রদায়িকতার গোড়া (stock) তাদের মুখ বন্ধ না কোরলে চলবে না এবং শান্তি স্থাপিত হবে না। Dr. Shamaprasad Mookerjee নোয়াখালি জেলায় যে সাম্প্রদায়িকতার আগুন লাগিয়ে এসেছেন (Mr. SPEAKER : Order, order.) I am sorry, Sir, আর নাম কোরবো না। Sir, এই জাতীয় সাম্প্রদায়িক কাগজ এবং সাম্প্রদায়িক নেতার প্রপাগেণ্ডা বিশেষ করিয়া ডাঃ শ্যামা প্রসাদ মুখার্জিজর মুখ গভর্ণমেণ্ট যদি বন্ধ না করেন তা'হলে এ দেশে শান্তি থাকতে পারে না। এবং এ দেশ সাম্প্রদায়িকতার আগুণে জ্বলে-পুড়ে শ্মশানে পরিণত হবে এই অবস্থায় আমি বিরুদ্ধ দলের অধিনায়কের প্রস্তাবের ঘোরতর প্রতিবাদ কোরছি এবং গভর্ণমেণ্টকে সমর্থন করিতেছি।

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I rise to take part in this debate under certain disadvantages. In the first place, I have to deal with facts and I cannot afford to indulge in mere sentiments and emotions. Secondly, Sir, I have got to defend the action of Government with regard to a newspaper whose past record has cast a blot on journalism not merely in Bengal but, if I may say so, on journalism throughout India. It is difficult to conceive of a paper which day after day, month after month, year after year, persists in language, the vulgarity of which forbids any repetition in decent society. Had there been no ladies present here to-night, I would have read out to you, Sir, the extracts that I have collected from the issues of the *Dainik Basumati*——

Mr. ATUL KRISHNA GHOSE: On a point of order, Sir. Is the Hon'ble the Chief Minister in order when he refers to past incidents to justify his action?

Mr. SPEAKER: It is not for me to say whether the order of Government is due particularly to this article. There might have been other offensive articles, and action might have been taken not merely on this article but for other articles as well. I am afraid I cannot stop the Hon'ble Minister.

Mr. ATUL KRISHNA GHOSE: But, Sir, the order is there. I would draw your attention to the fact that it is clear that this order has been promulgated with reference to the article of the 23rd March and as such we hope you will give your considered ruling in the matter. I want to know whether the Hon'ble Chief Minister is entitled to bring forward past incidents.

Mr. SPEAKER: It is not for me to say. If Government say that this decision is not merely based on this article, but on the tendency of other articles, I cannot stop the Minister.

Mr. SARAT CHANDRA BOSE: Sir, is it permissible for Government to say that having regard to the terms of the order? In the opinion of the Government the issue, dated the 19th April, printed and published by Sasi Bhusan Dutta, contained prejudicial reports of the nature described in sub-rule (7) of rule 34 of the Defence of India Rules, read with clause (*f*) of sub-rule (6) of the said rule. We are debating on this order and the adjournment motion is on this order. I submit on a point of order that it is not permissible on behalf of the Government to put forward any other reasons having regard to the terms of the order itself.

Mr. K. SHAHABUDDIN: I submit that although the Government order is in respect of this particular article, Government are fully entitled in justifying the order to show how tolerant they had been in the past. I submit that I am perfectly in order when I make this submission.

Mr. SARAT CHANDRA BOSE: I am not prepared to accept the authority of Mr. Shahabuddin.

Mr. SPEAKER: I have heard both sides. As I say, the conduct of Government in this matter is an action which only the Chief Minister can explain. Mr. Shahabuddin says that the justification of Government is that they have been tolerant to the utmost limit and it was only when they were driven that they took action——

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. Will you kindly see that this debate centres round only the motion itself?

Mr. SYED BADRUDDUJA: Why are you afraid?

Mr. SASANKA SEKHAR SANYAL: We are not afraid. You in your wisdom, Sir, pulled up the speakers on behalf of the Opposition immediately when they referred to what was considered to be extraneous to the motion.

Mr. SPEAKER: This is not extraneous.

Mr. SASANKA SEKHAR SANYAL: If you allow the Government to introduce facts which are not within the purview of the motion in question, we are absolutely left stranded, because we cannot meet these extraneous facts. I protest against this wild and disorderly discussion.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not going to take lessons from you.

I am going to bring to the notice of this House that the action that has been taken against the *Dainik Basumati* has not been taken on the impulse of the moment or in pursuance of any spirit of vindictiveness. This paper has got a very bad record.

Mr. SARAT CHANDRA BOSE: I again rise on a point of order.

The Hon'ble Mr. A. K. FAZLUL HUQ: My friend the Leader of the Opposition, one of the legal luminaries of the Calcutta High Court, knows that according to the Indian Evidence Act when the question is whether an act is incidental or intentional, evidence can be given of similar occurrences which have taken place before in order to show that a particular event is only one in the chain of events. Therefore I am entitled to show from past records that warning after warning has been given which has had no effect, and on the 23rd——

Mr. SARAT CHANDRA BOSE: On a point of order, Sir. I want to remind the ex-legal luminary that it would not be permissible even in a court of law to raise other grounds if an order is passed on a certain specific ground. No court will permit a person who is supporting the order to go beyond the specific grounds mentioned in that order. Further, Mr. Speaker, the order makes it clear what are the prejudicial reports on the basis of which the order is made. It mentions prejudicial reports contained in the issue of 23rd March,

It further limits it to prejudicial reports which have the effect of promoting or inciting feelings of enmity and hatred between different classes of His Majesty's subjects. Therefore, it is extremely limited, and I may add that if the Government desired to extend the grounds which I maintain is not permissible, they ought to have put up a speaker on their behalf at an early stage, so that the Opposition would have had an opportunity of meeting the new grounds put forward. On these grounds, Sir, I say it is not permissible.

Mr. SPEAKER: As a matter of fact, I have had to regulate this debate very carefully, because I do not want at all to go beyond the limit or the scope in discussing this adjournment motion which is in the nature of censure of the conduct of Government. There were at least two or three speakers who used the words, (1) to feed fat the ancient grudge, (2) vindictiveness, and (3) no warning given. If as a reply to these, Government state that as a matter of fact there was no vindictive conduct on their part, that it was not to feed fat the ancient grudge and that it was not because no warning was given—the fact is that warnings have been given in the past, that it is not to feed fat the ancient grudge, but because the reputation of the paper has been all along bad—how can I rule it out then?

Mr. SARAT CHANDRA BOSE: Two wrongs cannot make one right. If certain members are not in order, it will not justify the Hon'ble Chief Minister speaking on irrelevant matters.

The Hon'ble Mr. A. K. FAZLUL HUQ: May I remind the House that the order that has been passed is a fact, but the reasons are different altogether. I was trying to convince the House that there were reasons for the order——

Mr. SARAT CHANDRA BOSE: In the order itself.

The Hon'ble Mr. A. K. FAZLUL HUQ: Then I would show that the order itself is not merely justified, but it is the only order that could have been passed in the circumstances. The Leader of the Opposition is continuously drawing my attention to the terms of the order. May I ask him to consider for a moment that when a certain order is decided to be passed, the order must be made only in the language of the law? When I say that such and such article comes within the mischief of such and such rule, I have to quote the words of the article, and I have not to give in that order the reasons for that order. The reasons for the order are something different.

Mr. SARAT CHANDRA BOSE: What are they?

The Hon'ble Mr. A. K. FAZLUL HUQ: Since the year 1937 this paper has been constantly flouting——

Mr. SARAT CHANDRA BOSE: I again object, Mr. Speaker: This order gives the reasons.

Mr. SYED BADRUDDUJA: I don't think the Leader of the Opposition is right. You have already given your ruling on his point of order.

Mr. SARAT CHANDRA BOSE: I am pointing out to you, Sir, that this order does give reasons.

Mr. SYED BADRUDDUJA: Sir, he is trying to obstruct the proceedings.

Mr. FAZLUR RAHMAN: With a view to deliberately obstructing the proceedings of this House, he is repeatedly rising on a point of order. I want to draw your attention to that fact.

The Hon'ble Mr. A. K. FAZLUL HUQ: I will be very brief. I am quite sure that my friends opposite will be convinced if they want to be convinced that there was ample justification for this order, and that I have not only taken legal opinion but as a matter of fact it has been admitted by the Press Advisory Board that this article was objectionable. The only thing that they have represented to Government is that the order is of extreme severity. The justifiableness of the order has not been called in question.

I will only deal with facts. I have not got the time to go into the matter in full details. The warning that has been given to this paper amounted to no less than 53 times in the year 1938. I can point out to this House that some of the articles that appeared in this newspaper were so very objectionable that Government wanted to take action, but they were advised that warning should be given to see if the warning had any salutary effect. I would specially mention to the House the three articles which appeared in the issues of 19th October, 1939, 28th November, 1939, and 4th February, 1940—from the 19th October, 1939, down to this offending article on the 23rd of March, 1941. Now, Sir, when this article appeared, we took legal advice and after we took legal advice we were advised that the article was actionable. Then, as soon as we got the legal opinion, the Special Press Adviser, who by the way is a member of the Indian Civil Service and a Brahmin gentleman, informed the Bengal

Provincial Press Advisory Committee that the Government had been legally advised that the article was actionable and wanted to know what, if any, action the committee would like to recommend to the Government. The members of the committee held that the article was objectionable and that the tone and method of the article was very regrettable. After action was taken the Press Advisory Committee wrote to the Bengal Government saying that the Bengal Provincial Press Advisory Committee expressed regret and surprise that action was taken by the Government against *Basumati* in disregard of the committee's expectation,—expectation after a discussion with the Special Press Adviser that time should be given to the committee to fully consider the matter and take whatever action was found possible. While the committee was of opinion that the article in the *Basumati* was regrettable, it feels that the punishment in this case was out of all proportion to the offence and represents to the Government the advisability of its withdrawal or modification. The position therefore is this, that the legal advisers have advised that it is actionable.

Dr. SYAMAPROSAD MOOKERJEE: May I request the Hon'ble the Chief Minister to place the whole documents on the floor of the House?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am prepared to read the whole of it.

"The Bengal Provincial Press Advisory Committee expresses regret and surprise that action was taken by the Government against the *Basumati* in disregard of the committee's expectation after discussion with the Special Press Adviser that time should be given to this committee to fully consider the matter and take whatever action it found possible. The committee further notes, at its meeting held on the 28th March at the *Statesman* office, Government through its representative never gave an inkling of the immediate suspension of the *Basumati*. The committee feels that apart from the merits or demerits of any particular case, its function is rendered nugatory if Government acts in this fashion independently of the committee. While the committee is of opinion that the article in the *Basumati* is regrettable, it feels that the punishment in this case is out of all proportion to the offence, and represents to the Government the advisability of its withdrawal or modification."

There are certain very essential facts. Our legal advisers have advised us that the article is actionable. The Press Committee considers that the article is regrettable and its tone and method is open to objection. The Special Press Adviser informed the committee

that the article was actionable and that Government proposed to take action. All that we have done is that we have done our duty instead of waiting to see what the Press Committee was going to do. The responsibility for maintaining peace and order is ours; it is not the function of the Press Committee. The question is whether this article was actionable or not, and on that point there was no difference of opinion. It has been admitted by the Press Committee that the article is objectionable and actionable. The only question is one of punishment. It may be that suspension for one week, or ten days, or fifteen days might have been in the opinion of some people enough, but there are others who think that it should have been three months instead of three weeks. The fact remains that the order is justified and if the order is justified the adjournment motion must be voted down.

I do not wish to take up more time of the House. I have been asked to cry a halt, and I have been given a warning. But let me tell this House and through this House convey this message to the world outside that this Government is not going to tolerate articles of that type which appeared in the *Basumati* the other day. We will not tolerate any one to disturb public peace and tranquillity, we will not let any one (MR. SANTOSH KUMAR BASU: Including the Ministers?) to play with the passions of the multitude and break public peace and import communal disunion. We will certainly take action and this action taken against the *Basumati* constitutes a warning to the whole field of modern journalism.

The motion that the House do now adjourn was then put and lost.

Adjournment.

It being 8-15 p.m.—

The House was adjourned till 4-45 p.m. on Thursday, the 3rd April, 1941, at the Assembly House, Calcutta.

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Index to the
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Vol. LIX—No. 5—Tenth Session, 1941.

The 27th, 28th, 29th, 31st March and 1st and 2nd April, 1941.

[(Q.) Stands for question.]

Abdul Hafiz, Mr. Mirza

39—Public Health: pp. 90-92.

Abdul Wahed, Maulvi

39—Public Health. pp. 84-85.

Abdur Rahman Siddiqui, Mr.

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 235, 236, 237, 238.

Supplementary demand for grant "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 151-154.

Abu Hossain Sarkar, Maulvi

Allegation against Police administration of Bogra (Q.) p. 6.

Discussion of the Land Revenue Commission Report (Floud Commission Report) pp. 179, 181, 187.

Special motion at the capture of Keren and Harrar: pp. 209, 210, 211.

Abul Hashim, Maulvi

47—Miscellaneous Departments: pp. 114-115.

Special motion at the capture of Keren and Harrar: pp. 213, 215.

Abul Hosain Ahmed, Mr.

41—Veterinary: pp. 43-44.

Adjournment motion

Regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 199, 218-246.

Affiliation

And holding a centre examination of the old scheme junior madrasahs of Bengal: (Q.) p. 195.

Ahmed Ali Enayetpuri, Khan Bahadur Maulana

Affiliation and holding a centre examination of the old scheme junior madrasahs of Bengal: (Q.) p. 195.

Akhand, Maulvi Maniruddin

Expenditure for rural reconstruction works in Bengal: (Q.) p. 193.

Allegation

Against Police administration of Bogra (Q.) p. 6.

Amount

Spent by Midnapore District Board for flood relief work: (Q.) p. 169.

Arrest and conviction

Of Dr. Nalinaksha Sanyal, M.L.A.. (Q.) p. 9.

Asimuddin Ahmed, Mr.

Removal of Nangalkot Sub-Registry Office to Bagmara in the district of Tippera: (Q.) p. 190.

Azhar Ali, Maulvi

Cooks in Medical College and other Government hospitals: (Q.) p. 168.

Gratis

Banerji, Mr. Satyapriya

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 223-225.

Banerjee, Dr. Suresh Chandra

Persons dealt with under the Defence of India Act and Rules: (Q.) p. 7.

Barma, Babu Premhari

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 225, 226.

Barma, Mr. Puspajit

41—Veterinary: pp. 48-49.

Barman, Mr. Shyama Prosad

7—Land Revenue: pp. 23-26.

Basu, Mr. Jatindra Nath

Discussion of the Land Revenue Commission Report (Floud Commission Report): p. 179.

38—Medical: pp. 68-70.

Special motion at the capture of Keren and Harrar: pp. 212-213.

Basu, Mr. Santosh Kumar

Discussion of the Land Revenue Commission Report (Floud Commission Report): pp. 184-185.

Privilege Committee Bill: pp. 175, 176.

Bell-Hart, Miss P. B.

39—Public Health: pp. 85-86.

Bhawmik, Dr. Gobinda Chandra

38—Medical: pp. 72-74.

Biswas, Mr. Surendra Nath

Externment order on the Manager of the Weekly *Forward Bloc*: (Q.) p. 18.

Biswas, Mr. Surendra Nath—*concld.*

Externment order on Sushil Chandra Das Gupta: (Q.) p. 17.

38—Medical: pp. 65-68.

Point of order regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 132, 134, 135.

Bose, Mr. Sarat Chandra

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 199, 219-223.

Point of order on the adjournment motion regarding Government order on *Dainik Basumati*: pp. 241, 242.

Point of order regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 136, 137.

Supplementary demand for grant: "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 154, 155, 156, 157, 158.

Chaudhuri, Rai Harendra Nath

Discussion of the Land Revenue Commission Report (Floud Commission Report): pp. 180, 184.

Offences against women: (Q.) p. 14.

Point of order regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 132, 133.

Privilege Committee Bill: pp. 175, 178.

Chief Minister's (Hon'ble) discretionary grants: (Q.) p. 188.

Chippendale, Mr. J. W.

38—Medical: pp. 70-71.

Congestion

In the Primary Final Examination Centres in the Jalpaiguri district: (Q.) p. 195.

Cooks

In Medical College and other Government hospitals: (Q.) p. 168.

Das Gupta, Babu Khagendra Nath

Congestion in the Primary Final Examination Centres in the Jalpaiguri district: (Q.) p 195.

Jalpaiguri Western Duars Market Fund: (Q.) p. 191.

Primary Final Examination in the Jalpaiguri district: (Q.) p. 196.

Das Gupta, Srijut Narendra Nath

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 227, 228.

Restriction imposed on *Deshervance*: (Q.) p. 13.

Delimitation of constituencies

Of the Tippera District Board: (Q.) p. 170.

Demands for grants

Deposits and Advances: p. 128.

37—Education—Anglo-Indian and European: p. 103.

63—Extraordinary charges in India. p. 128.

54—Famine: p. 124.

10—Forest: p. 118.

43—Industries—Cinchona: p. 128.

22—Interest on Debt and other obligations: p. 127.

7—Land Revenue: p. 22.

38—Medical: p. 60.

57—Miscellaneous: p. 127.

47—Miscellaneous Departments: p. 109.

13—Other Taxes and Duties: p. 126.

30—Port and Pilotage: p. 127.

39—Public Health: p. 81.

11—Registration: p. 126.

36—Scietific Departments: p. 128.

9—Stamps: pp. 102, 103, 126.

Demands for grant—*concld.*

56—Stationery and Printing and Depreciation Reserve Fund—Government Presses: p. 127.

55—Superannuation allowances and Pensions, 55A—Commutation of Pensions financed from Ordinary Revenues, and 83—Payment of Commuted value of Pensions not charged to Revenue: p. 127.

41—Veterinary: p. 36.

"Deshapriya"

A Bengali Weekly of Chittagong: (Q.) p. 16.

Discussion

Of the Land Revenue Commission Report (Floud Commission Report): pp. 179-187.

Division

On cut motion on 7—Land Revenue: pp. 22-23.

On cut motion on 38—Medical: pp. 80-81.

On cut motion on 41—Veterinary: pp. 47-48.

On the motion of the Hon'ble Mr. A. K. Fazlul Huq on the demand "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 163-164.

On Mr. Sasanka Sekhar Sanyal's cut motion on the demand "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 162-163.

On the special motion at the capture of Keren and Harrar: pp. 217-218.

Datta, Mr. Dhirendra Nath

Floods and breaches in Goomti embankment: (Q.) p. 4.

Dutta Gupta, Miss Mira

39—Public Health: pp. 92-94.

Dutta Mazumdar, Mr. Niharendu

Establishment of a charitable dispensary and a charitable maternity and child welfare centre at Sunderban (Rupamari Abad area): (Q.) p. 165.

Point of order regarding admissibility of special motion at the capture of Keren and Harrar. pp. 200, 201.

Point of privilege by—regarding supply of questions and answers in the Chamber: p. 171.

Special motion at the capture of Keren and Harrar: pp. 206, 207-209.

Women workers in Jagatdal Jute Mill: (Q.) p. 129.

Emdadul Haque, Kazi

10—Forest: p. 121.

Status of the Jatrapur Junior Madrasah in Rangpur district: (Q.) p. 198.

Stoppage of grants to night schools and maktabs by the District School Board, Rangpur: (Q.) p. 6.

Establishment

Of a charitable dispensary and a charitable maternity and child welfare centre at Sundarban (Rupamari Abad area): (Q.) p. 165.

Excise Shop—

At Araidanga in Malda district: (Q.) p. 58.

Expenditure

For rural reconstruction works in Bengal: (Q.) p. 193.

Externment order

On the Manager of the weekly *Forward Bloc* (Q.) p. 18.

On Sushil Chandra Das Gupta: (Q.) p. 17.

Fazlul Huq, The Hon'ble Mr. A. K.

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 240, 242, 243, 244, 245-246.

Fazlul Huq, The Hon'ble Mr. A. K.—*contd.*

Affiliation and holding a centre examination of the old scheme junior madrasahs of Bengal: (Q.) p. 195.

Allegation against Police administration of Bogra: (Q.) p. 6.

Arrest and conviction of Dr. Nalinaksha Sanyal, M.L.A: (Q.) p. 9.

Hon'ble Chief Minister's discretionary grants: p. 188.

Congestion in the Primary Final Examination centres in the Jalpaiguri district: (Q.) p. 196.

Deshpriya, a Bengali weekly of Chittagong: (Q.) p. 17.

Discussion of the Land Revenue Commission Report (Floud Commission Report): pp. 182, 186, 187.

37—Education—Anglo-Indian and European: p. 103.

Externment order on the Manager of the weekly *Forward Bloc*. (Q.) p. 19.

Externment order on Sushil Chandra Das Gupta: (Q.) p. 18.

Free-studentship of Government scholarship-holders: (Q.) p. 198.

Last Bengal Civil Service Examination and Scheduled Caste candidates: (Q.) p. 16.

Offences against women: (Q.) p. 14.

Persons dealt with under the Defence of India Act and Rules: (Q.) p. 7.

Persons under Defence of India Rules: (Q.) p. 20.

Persons dealt with under Defence of India Rules since beginning of war: (Q.) p. 12.

Point of order regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 132, 133.

Primary Final Examination in the Jalpaiguri district: (Q.) p. 197.

Recruitment of Sub-Deputy Collectors from Scheduled Castes: (Q.) p. 19.

Fazlul Huq, The Hon'ble Mr. A. K.—*concld.*

11—Registration: p. 126.

Removal of Nangalkot Sub-Registry office to Bagmara in the district of Tippera: (Q.) p. 190.

Restriction imposed on *Deshervanee*: (Q.) p. 13.

36—Scientific Departments: p. 128.

Special motion at the capture of Keren and Harrar: pp. 201, 202, 203, 215, 216, 217.

Status of the Jatrapur Junior Madrasah in Rangpur district: (Q.) p. 198.

Stoppage of grants to night schools and maktabs by the District School Board, Rangpur: (Q.) p. 6.

Subdivisional Officer of Rajshahi Sadar: (Q.) p. 13.

Supplementary demand for grant: "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 138-139, 158-160.

41—Veterinary: pp. 44-47.

Fazlul Quadir, Khan Bahadur Maulvi

Operation of Jute Regulation Act in Chittagong district: (Q.) p. 1.

Floods and breaches in Goomti Embankment: (Q.) p. 4.

Free-studentship

Of Government Scholarship-holders: (Q.) p. 198.

Ganguli, Mr. Pratul Chandra

Deshpriya, a Bengali Weekly of Chittagong: (Q.) p. 16.

Persons dealt with under Defence of India Rules since beginning of war: (Q.) p. 11.

Ghose, Mr. Atul Krishna

Point of order on the adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: p. 241.

Giasuddin Ahmed, Mr.

38—Medical: pp. 63-65.

Golam Sarwar Hossaini, Mr. Shah Syed

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 238, 239, 240.

Goswami, Mr. Tulsi Chandra

Special motion at the capture of Keren and Harrar: p. 215.

Government demonstration

Agricultural farm at Kalimpong: (Q.) p. 2.

Griffiths, Mr. C.

37—Education - Anglo-Indian and European: pp. 105-107.

Habibullah, the Hon'ble Nawab Bahadur K., of Dacca

Amount spent by Midnapore District Board for flood relief work: (Q.) p. 169.

Cooks in Medical College and other Government hospitals: (Q.) p. 168.

Delimitation of constituencies of the Tippera District Board: (Q.) p. 170.

Establishment of a charitable dispensary and a charitable maternity and Child Welfare Centre at Sunderban (Rupamari Abad area): (Q.) p. 165.

Offer of donation by Maharaja of Lalgola for construction of a Tuberculosis Ward at Berhampore: (Q.) p. 172.

Hamilton, Mr. K. A.

39—Public Health: pp. 86-89.

Hendry, Mr. David

Supplementary demand for grant: "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 147, 148, 149.

Introduction

Of a single system of weight and measure throughout the Province: (Q.) p. 101.

Israil, Maulvi Md.

Relief to Co-operative debtors through Special Debt Settlement Boards: (Q.) p. 190.

Jalaluddin Hashemy, Mr. Syed

37—Education—Anglo-Indian and European: p. 105.

Persons under Defence of India Rules: (Q.) p. 20.

Special motion at the capture of Keren and Harrar: pp. 202, 203, 204, 205, 206.

Supplementary demand for grant: "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 149-151.

41—Veterinary: pp. 36-41.

Jalan, Mr. I. D.

Arrest and conviction of Dr. Nalinaksha Sanyal, M.L.A.: (Q.) p. 9.

Jalpaiguri Western Duars Market Fund:

(Q.) p. 191.

Jasimuddin Ahmed, Khan Sahib Maulvi

39—Public Health: pp. 96-97.

Kennedy, Mr. I. G.

47—Miscellaneous Departments: pp. 112-114.

Kumar, Mr. Atul Chandra

Excise shop at Araidanga in Malda district: (Q.) p. 58.

7—Land Revenue: pp. 32-35.

39—Public Health: pp. 94-96.

Land Revenue Commission Report: p. 173.

Discussion of the—Floud Commission Report: pp. 179-187.

Last B.C.S. Examination and Schedule Caste Candidates: (Q.) p. 15.

Maguire, Mr. L. T.

37—Education—Anglo-Indian and European: pp. 103-104.

Maji, Mr. Adwaita Kumar

54—Famine: pp. 124-125.

Mandal, Mr. Amrita Lal

38—Medical: pp. 74-77.

Mandal, Mr. Krishna Prasad

Amount spent by Midnapore District Board for flood relief work: (Q.) p 169.

Maqbul Hosain, Mr.

41—Veterinary: pp. 50-51.

Message from the Bengal Legislativ Council: pp. 22, 173.

Mookerjee, Dr. Syamaprosad

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp 228-230, 231-232.

Moslem Ali Mollah, Maulvi M.

Hon'ble Chief Minister's discretionary grants: (Q.) p. 188.

Mullick, the Hon'ble Mr. Mukunda Behary

Relief to Co-operative debtors through Special Debt Settlement Boards (Q.) p. 190.

Nandy, The Hon'ble Maharaja Srischandra, of Cossimbazar

Floods and breaches in Goomti Embankment: (Q.) p. 4.

Re-excavation of Mithachhara Khal (Q.) p. 4.

Oath or affirmation of allegiance: p. 129.

Offences against women: (Q.) p. 14.

Offer of donation

By Maharaja of Lalgola for construction of a Tuberculosis Ward at Berhampore: (Q.) p. 172.

Operation of Jute Regulation Act in Chittagong district: (Q.) p. 1.

Patton, Mr. W. C.

Government Demonstration Agricultural Farm at Kalimpong: (Q.) p. 2.

Persons

Dealt with under the Defence of India Act and Rules: (Q.) p. 7.

Dealt with under Defence of India Rules since beginning of war: (Q.) p. 11.

Under Defence of India Rules: (Q.) p. 20.

Point of order

Regarding admissibility of special motion at the capture of Keren and Harrar: p. 200.

Regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 131-138.

Point of Privilege

Regarding supply of questions and answers in the Chamber: p. 171.

Primary Final Examination

In the Jalpaiguri district: (Q.) p. 196.

Privilege Committee Bill: pp. 174-179.

Raikut, The Hon'ble Mr. Prasanna Deb

Excise shop at Araidanga in Malda district: (Q.) p. 58.

10—Forest: pp. 118-121, 123-124.

43—Industries—Cinchona: p. 128.

Recruitment

Of Sub-Deputy Collectors from Scheduled Castes: (Q.) p. 19.

Re-excavation of Mithachhara Khal: (Q.) p. 3.

Relief to Co-operative debtors

Through Special Debt Settlement Boards: (Q.) p. 190.

Removal

Of Nangalkot Sub-Registry Office to Bagmara in the district of Tippera. (Q.) p. 190.

Restriction imposed on "Deshervanee": (Q.) p. 13.

Roy, The Hon'ble Sir Bijoy Prasad Singh

Discussion of the Land Revenue Commission Report (Floud Commission Report): pp. 180, 181, 182, 183, 184, 185.

54—Famine: pp. 124, 125-126.

Jalpaiguri Western Duars Market Fund: (Q.) p. 191.

7—Land Revenue: p. 22.

13—Other taxes and duties: p. 126.

Privilege Committee Bill: pp. 174, 176, 177, 178, 179.

9—Stamp: pp. 103, 126.

Roy, Mr. Charu Chandra

39—Public Health: pp. 89-90.

41—Veterinary: pp. 51-52.

Roy, Mr. Manmatha Nath

Point of order regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 131-132.

Sanaullah, Dr.

Re-excavation of Mithachhara Khal: (Q.) p. 3.

Sanyal, Dr. Nalinaksha

Subdivisional Officer of Rajshahi Sadar: (Q.) p. 12.

Sanyal, Mr. Sasanka Sekhar

Discussion of the Land Revenue Commission Report (Floud Commission Report): pp. 179, 181, 182, 183.

54—Famine: p. 125.

7—Land Revenue: pp. 26-28.

Land Revenue Commission Report: p. 173.

Offer of donation by Maharaja of Lalgola for construction of a Tuberculosis Ward at Berhampore: (Q.) p. 172.

Privilege Committee Bill: pp. 174, 175, 176, 177.

Supplementary demand for grant: "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 140-144.

41—Veterinary: pp. 41-43, 53-54.

Sarkar, Babu Madhusudan

Free-studentship of Government scholarshipholders: (Q.) p. 198.

Last B.C.S. Examination and Scheduled Caste Candidates: p. 15.

Recruitment of Sub-Deputy Collectors from Scheduled Castes: (Q.) p. 19.

Sarker, Mr. Nalini Ranjan

Supplementary demand for grant: "57—Miscellaneous—Contribution to the Calcutta Mayor's Fund for London Air Raid Victims": pp. 144-147.

Schedule of Authorised Expenditure

Laying of—: p. 173.

Sen, Mr. Atul Chandra

Adjournment motion regarding Government order on *Dainik Basumati* banning its publication for 3 weeks: pp. 232, 233, 234, 235.

Serajul Islam, Mr.

Introduction of a single system of weight and measure throughout the Province: (Q.) p. 101.

Shahedali, Mr.

Delimitation of constituencies of the Tippera District Board: (Q.) p. 170.

Smith, Mr. H. Brabant

10—Forest: pp. 121-123.

Speaker, Mr. (The Hon'ble Sir Muhammad Azizul Haque, C.I.E., Khan Bahadur)

Observations and Rulings:

On the adjournment motion on *Dainik Basumati* banning its publication for 3 weeks: pp. 225, 226, 227, 231, 234, 235, 237, 239, 240.

On the discussion of the Land Revenue Commission Report (Floud Commission Report): pp. 181, 182, 183, 184, 185, 187.

On the Privilege Committee Bill: pp. 174, 175, 176, 177, 178.

On the point of privilege raised by Mr. Niharendu Dutta Mazumdar regarding supply of questions and answers in the Chamber: p. 171.

On the point of order by Mr. Atul Krishna Ghose on the adjournment motion regarding Government order on *Dainik Basumati*: p. 241.

On the point of order regarding the demand of Re. 1 for the payment of Rs. 1,00,000 as contribution to the Calcutta Mayor's Fund for London Air Raid Victims: pp. 132, 134, 135, 136, 137, 138.

On a point of order raised by Mr. Niharendu Dutta Mazumdar regarding admissibility of Special Motion at the capture of Keren and Harrar: p. 201.

On a point of order by Mr. Sarat Chandra Bose on the adjournment motion regarding Government order on *Dainik Basumati*: p. 243.

On the special motion at the capture of Keren and Harrar: pp. 202, 203, 204, 205, 210, 211.

Special Motion—

Regarding capture of Keren and Harrar: pp. 200-218.

Status

Of the Jatrapur Junior Madrasah in Rangpur district: (Q.) p. 198.

Stoppage of grants

To night schools and maktabs by the District School Board, Rangpur: (Q.) p. 6.

Subdivisional Officer of Rajshahi Sadar:

(Q.) p. 12.

Suhrawardy, The Hon'ble Mr. H. S.

Deposits and Advances: p. 128.

63—Extraordinary charges in India. p. 128.

22—Interest on Debt and other obligation: p. 127.

Laying of Schedule of Authorised Expenditure: p. 173.

57—Miscellaneous: p. 127.

47—Miscellaneous Departments: pp. 109, 115-118.

30—Port and Pilotage: p. 127.

56—Stationery and Printing and Depreciation Reserve Fund—Government Presses: p. 127.

Suhrawardy, The Hon'ble Mr. H.S.—*concld.*

55—Superannuation Allowances and Pensions, 55A—Commutation of Pensions financed from ordinary revenues and 83—Payment of commuted value of pensions not charged to revenue: p. 127.

Women workers in Jagatdal Jute Mill: (Q.) p. 130.

Supplementary demand for grant

"57—Miscellaneous": pp. 131-161.

Tamizuddin Khan, The Hon'ble Mr.

Expenditure for rural reconstruction works in Bengal: (Q.) p. 193.

Government Demonstration Agricultural Farm at Kalimpong: (Q.) p. 2.

Introduction of a single system of weight and measure throughout the Province: (Q.) p. 101.

38—Medical: pp. 60-63, 77-80.

Operation of Jute Regulation Act in Chittagong district: (Q.) p. 2.

39—Public Health: pp. 81-83, 97-100.

41—Veterinary: pp. 36, 54-57.

Walker, Mr. W. A. M.

Special motion at the capture of Keren and Harrar: p. 212.

Women workers in Jagatdal Jute Mill:

(Q.) p. 129.

Zaman, Mr. A. M. A.

47—Miscellaneous Department: pp. 109-112.

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